DOCUMENT RESUME

ED 029 100

VT 007 770

Offenders as a Correctional Manpower Resource. Report of a Seminar (Washington, D.C., March 7-8, 1968).

Joint Commission on Correctional Manpower and Training, Washington, D.C.

Pub Date Jun 68

Note-108p.

Available from-Joint Commission on Correctional Manpower and Training, 1522 K Street, N.W., Washington, D.C. 20005 ($1.00).

EDRS Price MF-$0.50 HC-$5.50

Descriptors-Community Attitudes, *Conference Reports, *Corrective Institutions, Human Services, *Manpower Development, *Manpower Utilization, Models, Pilot Projects, Political Issues, *Prisoners, Program Development, Rehabilitation, Rehabilitation Programs, Social Problems

The use of the offender and ex-offender as manpower resources in corrections is a practice about which there is little agreement but an enormous amount of concern. Self-help programs such as Alcoholic s Anonymous and Synanon have attracted wide attraction. The concept of using a product of the problem to help others with the same problem is not new, but it has been applied only to a limited degree in the rehabilitation of the public offender. To allow a full expression of views on this topic, the papers given at this meeting examine the promise and problems of such a program for the offender himself, for the correctional system and for society. Presentations include: "Offender Participation in the Correctional Process: General Theoretical Issues" by LaMar T. Empey; "Sources of Resistance to the Use of Offenders and Ex-Offenders in the Correctional Process" by Donald R. Cressey; and "Vital Components of a Model Program Using the Offender in the Administration of Justice" by J. Douglas Grant. (CH)

ED029100

c1

# OFFENDERS AS A CORRECTIONAL MANPOWER RESOURCE

JOINT COMMISSION
ON
CORRECTIONAL MANPOWER
AND TRAINING

VT007770

The Joint Commission on Correctional Manpower and Training, incorporated in the District of Columbia, consists of nearly a hundred national, international, and regional organizations and public agencies which have joined together to attack one of the serious social problems of our day: How to secure enough trained men and women to bring about the rehabilitation of offenders through our correctional systems and thus prevent further delinquency and crime.

Recognizing the importance of this problem, the Congress in 1965 passed the Correctional Rehabilitation Study Act, which authorizes the Vocational Rehabilitation Administration to make grants for a broad study of correctional manpower and training. The Joint Commission is funded under this Act and through grants from private foundations, organizations, and individuals.

Commission publications available:

*Differences That Make the Difference,* papers of a seminar on implications of cultural differences for corrections. August 1967. 64 pp. Second printing November 1967.

*Targets for In-Service Training,* papers of a seminar on in-service training. October 1967. 68 pp. Second printing November 1967.

*Research in Correctional Rehabilitation,* report of a seminar on research in correctional rehabilitation. December 1967. Second printing March 1968. 70 pp.

*The Public Looks at Crime and Corrections,* report of a public opinion survey. February 1968. Second printing March 1968. 28 pp.

*The Future of the Juvenile Court: Implications for Correctional Manpower and Training,* consultants' paper. June 1968. 67 pp.

*Offenders as a Correctional Manpower Resource,* papers of a seminar on the use of offenders in corrections. July 1968. 103 pp.

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY.

# OFFENDERS AS A CORRECTIONAL MANPOWER RESOURCE

Report of a Seminar
Convened by the Joint Commission
on Correctional Manpower
and Training
Washington, D. C.
March 7-8, 1968

Joint Commission on Correctional
Manpower and Training
1522 K Street, N.W.
Washington, D. C. 20005

June 1968

# FOREWORD

The use of the offender and ex-offender as manpower resources in corrections is a practice about which there is little agreement but an enormous amount of concern. Self-help programs such as Alcoholics Anonymous and Synanon have attracted wide attention. Thus the concept of using a product of the problem to help others with the same problem is not new. But it has been applied to only a limited degree in the rehabilitation of the public offender.

To allow a full expression of views on this topic, the Joint Commission on Correctional Manpower and Training convened a seminar in March 1968. The papers given at this meeting examined the promise and problems of such a program for the offender himself, for the correctional system, and for society. They presented varying points of view, some at odds with others. Some points made are also at odds with much of the practice in corrections today. The Joint Commission provides a forum for the expression of these ideas. It does not necessarily subscribe to positions taken by the authors.

The seminar was planned and directed by Keith A. Stubblefield, director of the Commission's task force on utilization of volunteers and other special personnel in corrections, and Larry L. Dye, research assistant. The report was edited by Roma K. McNickle.

The papers of the seminar were given by men long associated with pioneering the use of offenders and ex-offenders in self-help programs. The introducton was prepared by the Commission staff responsible for the study of this topic. The product, we hope, will be useful to those contemplating the use of offenders and ex-offenders as manpower resources for corrections.

The Commission expresses its thanks to all participants in the seminar. Special thanks are due to Dr. Thomas F. Courtless, who acted as moderator. Representative James H. Scheuer, of New York, kindly arranged for the use of meeting rooms in the Rayburn House Office Building.

Judge Laurance M. Hyde, Jr. and the editors of *Judicature* have graciously permitted the Commission to reprint the article by Judge Hyde which appears as Appendix B of this publication. The Commission is also indebted to Hannah Green and her publishers Holt, Rinehart and Winston for permission to quote from *I Never Promised You A Rose Garden*; and to John P. Conrad and the Regents of the University of California for permission to quote from *Crime and Its Correction: An International Survey of Attitudes and Practices,* published by the University of California Press.

The Commission takes pleasure in offering this publication to the correctional community and to the public which gives often contradictory mandates to corrections. As pointed out in the papers, the reactions of the public to men released from corrections can make the difference between their success and failure.

William T. Adams
*Associate Director*
*Joint Commission on Correctional*
*Manpower and Training*

## CONTENTS

*Page*

INTRODUCTION ........ 1
Keith A. Stubblefield and Larry L. Dye

OFFENDER PARTICIPATION IN THE CORRECTIONAL PROCESS: GENERAL THEORETICAL ISSUES ........ 5
LaMar T. Empey

LAW, POLITICS, AND EX-OFFENDERS IN THE CORRECTIONAL PROCESS ........ 22
Gilbert Geis

SOURCES OF RESISTANCE TO THE USE OF OFFENDERS AND EX-OFFENDERS IN THE CORRECTIONAL PROCESS ........ 31
Donald R. Cressey

UTILIZING TH EEX-OFFENDER AS A STAFF MEMBER: COMMUNITY ATTITUDES AND ACCEPTANCE ........ 50
Milton Luger

VITAL COMPONENTS OF A MODEL PROGRAM USING THE OFFENDER IN THE ADMINISTRATION OF JUSTICE ........ 60
J. Douglas Grant

ISSUES AND STRATEGIES OF IMPLEMENTATION IN THE USE OF OFFENDERS IN RESOCIALIZING OTHER OFFENDERS ........ 73
Richard R. Korn

SOME OBSERVATIONS ON THE SEMINAR ........ 85
Thomas F. Courtless

APPENDIX A
Data on Current Use of Offenders and Ex-Offenders in American Corrections ........ 87

APPENDIX B
If Prisoners Could Talk to Judges ........ 92

APPENDIX C
Bibliography on New Careers ........ 98

# INTRODUCTION

Keith A. Stubblefield and Larry L. Dye

In carrying out its mission to make a thorough analysis of the manpower shortage in American corrections and suggest ways of meeting it, the Joint Commission on Correctional Manpower and Training has perforce given attention to the ways in which corrections has used—and perhaps might better use—offenders and ex-offenders as manpower for the correctional system.

For many decades, the adult correctional institutions of the country have relied on inmates to do much of the maintenance work around the prison. In some cases they have been used as custodial workers. A good many institutions have drawn on the pre-commitment skills of inmates by using them to teach other prisoners, act as clerks, and the like.

A survey of institutions made by the Joint Commission in 1967 revealed that both adult and juvenile facilities are now using offenders, ex-offenders, and persons on parole or probation in teaching academic and vocational programs, leading recreational and rehabilitation programs, helping with research projects, interviewing new inmates, and leading pre-release programs. Details are shown in Appendix A.

In the past, as a general rule, corrections has used offenders in prison work mainly because maintenance and operating funds were scarce or workers were hard to hire from the outside. The new rationale is that offenders have something to offer other offenders which can never be provided by staff who have not themselves been involved in crime and delinquency. At the Kansas State Penitentiary in Lansing, for example, selected inmates conduct a regular program for juvenile delinquents. Problem boys are brought to the prison for weekly sessions with these inmates, with judges, probation officers, and other persons connected with the administration of justice to impress upon the youngsters the inevitable consequences of crime. The California Youth Authority transports confined youthful offenders to a facility for younger offenders and uses them in rehabilitation programs. The Draper Correctional Center in Alabama has developed an educational service staffed largely by offenders.

Some ex-offenders are now being used as paid staff members of correctional facilities, as noted in several papers in this publication. Halfway houses such as St. Leonard's House and St. Anthony's Inn in Chicago are managed and staffed by ex-offenders. The Teen Council of Vienna, Virginia has an ex-offender working with pre-delinquent youth in group therapy and psychodrama sessions.

A newspaper reporting the election of the new president of a state wardens' association states that he "makes no secret of the fact that he once served time for a holdup. He says the mistake he made has helped him to assist others who have broken the law." [1] In South Carolina, where the Department of Corrections has employed ex-offenders, the director said, "It is our feeling that, if we truly believe in the rehabilitation of the offender, we must be willing to back this up in a very real way by utilizing the inmate's training and skills through discriminating job placement within the correctional field." [2]

---

*Mr. Stubblefield is director of the Commission's task force on the utilization of volunteers and other special personnel in corrections. Mr. Dye is research assistant.*

These and other programs described in the following papers show the growing interest of the correctional field in using offenders, who are the products of the problem of crime and delinquency, to help solve the problem itself.

## The New Careers Concept

The concept of using the products of a problem to help solve the problem is not new. "Each one teach one" was a cornerstone of the method developed by Dr. Frank Laubach to help reduce illiteracy. For many years, Alcoholics Anonymous has brought former alcoholics to the aid of persons struggling to become abstainers. More recently, Synanon and several other programs have been involving ex-addicts in helping narcotic addicts to rid themselves of the habit.

A related concept is that of developing new kinds of permanent jobs—new careers—for the poor. Pearl and Riessman declare that, unless such job development and related changes take place, we shall have "a permanent, stable 'nonworking' class, whose children and grandchildren will be unable to perform meaningful functions in our society."[3] The authors propose methods of training the poor to perform a wide variety of services, mainly public services.

Still another consideration is the growing need for services for which there obviously will not be enough professionals available in the coming decade. The need for rehabilitation services in corrections is a prime example. Under present regulations, most of these services must be provided by professionals, or at least by persons with a college degree. In many settings, one of two results may be observed. Either the professionals are so overloaded that they cannot be effective, or only a superficial attempt is made to provide services at all.

## New Careers in Corrections

All these concepts have implications for the use of offenders as manpower in corrections. Here are men, women, and youth whose background enables them to serve fellow offenders effectively. Many of them can be trained to provide services for which corrections now lacks professionally trained personnel. And their period of training can contribute to their own rehabilitation.

In an effort to initiate systematic study of the potentials of "new careers" for offenders, the National Institute of Mental Health in 1963 sponsored a conference on the use of the products of a social problem in coping with the problem. The problem selected was crime and delinquency. Correctional administrators, social scientists, offenders, and ex-offenders discussed experiences in the employment of offenders in a variety of programs, ranging from data-processing to the prevention of delinquency.

An outgrowth of this conference was NIMH sponsorship of a demonstration, the New Careers Development Project. The goal of the project was to build a participation model which would merge the resources of the professional with those of offenders in the field of social change and development.

The project was designed to form a series of "change and development teams." The team would include professionals and offenders. The latter would be trained in skills which are of value in helping professionals complete the various tasks necessary to bring about change. A vital component of the program was the linking of the training program with meaningful employment opportunities, in both corrections and other public services.

Eighteen inmates of adult correctional institutions in California were selected for the project. Half of them had been convicted of armed robbery; more than half had previously been confined in juvenile institutions. While still confined, they went through an intensive four-month training period. Then they were released to jobs involving the development of "new career" positions for nonprofessionals in social agencies or the training of nonprofessional aides. These trainees have continued to work and have advanced in competence and in level of responsibility. Their salaries now range from $7,200 to $15,000 a year. Only one of the eighteen committed a new offense and was reconfined.

Obviously more needs to be done in the way of systematic programming to draw together experience in the use of offenders and the growing body of technical knowledge about their use as correctional manpower. The papers which follow illustrate some fairly well conceptualized and demonstrated ways to proceed. What is most needed now is a climate which encourages experimentation and innovation.

## Obstacles in the Way

Such a climate will not be easy to achieve. The Joint Commission's surveys show that about 40 states have either statutory or administrative prohibitions against the employment of probationers or parolees by state agencies. In 33 states there are restrictions on state employment of an ex-offender who is completely free of legal supervision.

Of the 422 local probation and parole agencies surveyed, nearly three-fourths (72 percent) are prevented from hiring a person with a felony record; and the same proportion are prevented from employing probationers and/or parolees.

Not only regulation but public opinion about offenders and ex-offenders will stand in the way of wide employment of "new careerists." A survey of public opinion conducted for the Joint Commission by Louis Harris and Associates found that the general public, while aware of the difficulties faced by the ex-offender in re-entering the free community, is reluctant to have much personal contact with him and doubtful of his potential in anything but a menial job.[4]

Still more substantial as barriers to New Careers programs are likely to be the attitudes of correctional personnel. A survey of these attitudes, to be published by the Joint Commission in the near future, shows that half of the national sample of correctional personnel interviewed felt that it would not be a good idea to hire ex-offenders in their agency. The greatest resistance to the idea came from line workers (guards) in correctional institutions; nearly three-fourths of them rejected it. The greatest support came from the top administrators of juvenile institutions; nearly 60 percent of them endorsed the idea.

## The Plan of This Publication

The seminar reported in the following pages was convened by the Joint Commission in order to afford fuller discussion of the problems and prospects of using offenders and ex-offenders in corrections. Some of the speakers are sociologists or criminologists who have directed correctional programs. Others are now directing programs modeled on New Careers concepts. Appendixes present current data on the use of offenders and ex-offenders in corrections; an account of an educational effort which involved offenders, officials in the administration of criminal justice, and other citizens; and a bibliography on New Careers.

## References

[1] United Press International dispatch from Augusta, Georgia, July 5, 1967.

[2] Personal correspondence, August 15, 1967.

[3] Arthur Pearl and Frank Riessman, *New Careers for the Poor* (New York: Free Press, 1965), p. 2.

[4] See *The Public Looks at Crime and Corrections* (Washington: Joint Commission on Correctional Manpower and Training, 1968), pp. 11-18.

# OFFENDER PARTICIPATION IN THE CORRECTIONAL PROCESS: GENERAL THEORETICAL ISSUES

LaMar T. Empey

It has often been noted that one reason why we have not been successful in rehabilitating offenders is that we have not developed an adequate theoretical base on which to build treatment strategies. Fundamental to the construction of such a base is a clear definition of terms followed by a specification of the problems to be addressed. In this discussion of the offender as a correctional resource, therefore, I should like to follow this format.

## Definition of Terms

My first concern is with basic concepts. I do not believe we have made an adequate distinction between the notion of "new careers" for offenders and the notion of using offenders as a "correctional resource." I do not see them as the same thing. The "new careers" notion, in my opinion, is a much broader concept and could easily include the use of the offender as a correctional resource. But the reverse need not be true. The offender can be used as a correctional resource in a way that does not hold out much promise for a new career. In fact, as Grant points out,[1] the idea of using inmates as a resource is not a new idea; inmates commonly fulfill important functions all the way from armed trustee in Arkansas to the role of teacher or therapist elsewhere.

Let me illustrate how crucial I consider this distinction to be. Many of you may recall the recent movie, "Sand Pebbles," the story of an American gunboat in China during the turbulent 1920's. The crew of the *Sand Pebbles* (their name for the *San Pablo*) had worked out an interesting informal arrangement by which they got their work done. Virtually every member of the crew had a Chinese coolie who was his counterpart on the deck, in the galley, or in the engine room. It was this informal crew, many of whom could not even speak English, who kept the ship running by doing most of the work. Yet, insofar as the U. S. Navy was officially concerned, the Chinese members of the crew did not even exist. If you looked at the Table of Organization for the ship, you could not see one of their names.

The point is that the *Sand Pebbles* was much like a traditional prison. It was a caste system in which the upper caste — the crew — was concerned with the job performance of the lower caste — the Chinese — only insofar as the latter contributed to the running of a smooth ship. It is true that coolie leaders were permitted, indeed expected, to exercise considerable power and controls over other coolies. But no thought was ever given to the possibility that the Chinese should share in decision-making with the crew, that the two castes should interact socially, or that the shipboard experience could ever be used as a means for preparing the Chinese for a career in the U. S. Navy. Indeed, even in their wildest fantasies, it is unlikely that the members of either caste, most of all the crew, ever entertained that notion. Thus, while there was some payoff for the coolies in "squeeze" and a little rice, that payoff was

---

*Dr. Empey is chairman of the department of sociology and anthropology, University of Southern California.*

an integral part of their membership in the lower caste and did not extend beyond it. In fact, if you will recall, one coolie was brutally murdered by on-shore Chinese because he worked on the ship. Rather than serving to integrate him in the larger Chinese society, therefore, it proved to be a source of stigma. In fact, his membership in the crew placed him in a kind of no man's land where he was accepted neither by the American upper caste as one of them nor by his countrymen as one of them.

The parallel between this and the predicament of a criminal offender in prison is so obvious as to need little elaboration. The offender is stigmatized by society, and he is certainly not accepted by the staff as one of them. Consequently, the only place he has to turn to for a sense of identity and a definition of purpose is the inmate caste. Theoretically at least, this is precisely what we do *not* want to happen. We want the reverse to happen; we would like the offender to identify with pro-social points of view and to take on characteristics which will enable him to function effectively as a non-criminal.

It is for these reasons that, at least in my own private fantasy, I assume that our overriding concern is with new careers for offenders, not just with using offenders as a correctional resource. They are already being used as a resource. Our task now is to integrate that use into a larger scheme in which, by being of service to corrections, they might realize lasting career benefits.

Unlike the case of the Chinese on the *Sand Pebbles*, the positions held by offenders might ultimately show up on tables of organization, be a source of official status, and pay money. Offenders would become a part of the correctional apparatus, not its dependent, often unruly stepchildren. This is the basis of my analysis. It seems to me that a New Careers movement has the capacity to contribute to the solution of several key problems in corrections which are not now being addressed.

## Historical Approaches

The first problem has to do with our historical approaches to the offender. As Glaser has pointed out, society's traditional approach to criminals can be conveniently summarized as a succession of three R's — Revenge, Restraint and Reformation.[2] What is provocative about these three R's is their singular concern with the offender and their lack of concern with his relationship to, or interaction with, society.

Each of them was developed as a response to some postulated deficiency in the individual. Revenge is based upon the premise that the offender is wicked; restraint upon the notion that he is a rational being who deliberately chooses to do wrong; and reformation upon the premise that he is sick, or at least suffering from some internal disability. Without denying the total relevance of these points of view, especially of the notion that some voluntarism or personal disability is implicit in many criminal acts, they are still one-sided. In locating the source of difficulty *within* the offender, they ignore the notion that personality and social organization are but two facets of the same thing, that, like the situation on the *Sand Pebbles*, the nature of the social setting may be more highly determinate of what any one person can do in it than any personal characteristics he may have. To effect lasting changes in one, therefore, it may be necessary to effect changes in the other.

The offender is not a social atom, unaffected by others. Compelling pressures are exerted upon him by persons living in his community, by the social groups to which he belongs, by the correctional programs in which he is placed, by our overall culture and, within it, a host of dissonant subcultures. It is this social and cultural matrix that prescribes his goals and his standards of conduct. And it is the way in which this matrix is addressed, with the offender as a part of it, that will determine whether or not he is a success or a failure, a criminal or a law-abiding person.

The point is that one's very self is constituted not just of characteristics peculiar to him but of the positions he plays in various social games.[3] Each game operates according to a set of rules, some formal, some informal. These rules specify a set of positions or roles — third baseman, teacher, minister, clerk, con politician — and indicate what the player in each position is supposed to do in relation to the players in other positions. They also include criteria for evaluating the success of the total enterprise or the contributions of individual players. Others are able to place any individual and have successful relations with him only in terms of the positions he plays and the positions they play. This is to say, as Cressey has suggested, that criminal behavior, like other behavior, is very much the property of groups.[4] To change it, therefore, any program must address this property.

The New Careers movement, as I see it, is of potential utility in doing so because it proposes a dual attack upon the two-sided nature of crime. On one hand, it proposes to make the offender the target of change, by placing him in the role of reformer. Cressey calls this "retroflexive reformation."[5] If an offender is serious in his attempts to reform others, he must automatically accept the common purpose of the reformation process and grant prestige to those who succeed in it. In so doing, he becomes a genuine member of the reformation group and in the process may be alienated from his previous pro-criminal groups.

On the other hand, the New Careers movement also implies an attack upon those characteristics in correctional organizations which have made rehabilitation so difficult. All too often, these organizations have been like the *Sand Pebbles,* forcing inmates and staff into separate castes so that the task of having them develop and share common values, norms, and points of view has been made virtually impossible. The positions each has played in the prison game have served more to maintain a criminal identity among offenders than to dispel it. I will expand upon this problem later. Suffice it to emphasize now the importance of an approach like New Careers, which, rather than treating the offender as an isolated atom, proposes to rehabilitate him by altering the total matrix of which he is a part. What it represents is the addition of two more R's to our list of R's in correctional history: (1) an R representing the need for correctional and social reconstruction; and (2) an R representing the need for the reintegration of the offender in noncriminal activities and relationships.

## A Rite of Passage

The second problem which the New Careers movement is capable of addressing is closely related. It is the problem of "destigmatizing" the offender, of providing a "rite of passage" back from a criminal to a non-criminal status.

From a humanitarian standpoint, society has long been aware of the stigmatizing effects of criminal status. Pleas are repeatedly made that the offender, once he has "paid his debt to society," should be permitted to take his place once more among non-criminal groups and activities. But these pleas, I fear, are made without much attention either to the competing forces which inhibit the destigmatizing process or the societal reconstruction that will be required if reintegrative efforts are to be effective.

As Erikson points out,

> The community's decision to bring deviant sanctions against an individual is not a simple act of censure. It is a sharp rite of transition, at once moving him out of his normal position in society and transferring him into a distinct deviant role. . . . Perhaps the most obvious example of a commitment ceremony is the criminal trial, with its elaborate formality and ritual pageantry. . . .
>
> Now an important feature of these ceremonies in our own culture is that they are almost irreversible. Most provisional roles conferred by society — like those of the student or conscripted soldier, for example — include some kind of terminal ceremony to mark the individual's movement back out of the role once its temporary advantages have been exhausted. But the roles allotted to the deviant seldom make allowance for this type of passage. He is ushered into the deviant position by a decisive and often dramatic ceremony, yet is retired from it with hardly a word of public notice. . . . Nothing has happened to cancel out the stigmas imposed upon him by earlier commitment ceremonies. . . .[6]

The task of canceling out the stigmas imposed by earlier commitment ceremonies is not a simple one. We have, it seems to me, two alternatives. Either we can find ways for lessening the impact of the dramatic rite of passage from a non-criminal to a criminal status; or we can do more to develop a rite of passage in the opposite direction — from the status of criminal to the status of non-criminal.

Actually, both alternatives are being tried at the present time. On one hand, a variety of new community programs such as work furloughs are designed to implement the first alternative.[7] Rather than separating the offender completely from the community and its activities, these programs attempt to help him while he remains in it. The tie to a non-criminal status is never completely severed.

On the other hand, the New Careers movement of Grant and his associates in California[8] is a good example of efforts to develop a rite of passage back from a criminal to a non-criminal status. What they did was, first, to provide a relevant connection — one which the offender could accept — between what happened within the prison and what was to happen by way of employment upon release and, second, to set up a reward system which provided an incentive for the acceptance of pro-social points of view and activities, both within and outside the prison.

Even so, these efforts have been halting and uneven at best, primarily because the vital task of providing a destigmatizing ritual which is equivalent in impact to the court trial, or in developing new careers which are socially, politically, and bureaucratically acceptable, has scarcely begun. The primary burden still rests on the reformed offender to hide his stigmatizing past as the best way of dealing with it. Thus conditions are such as to underscore the extent to which the problem of new careers for offenders is a problem in cultural and organizational, as well as offender, reconstruction. The success of any New Careers endeavor will be dependent upon its capacity not only to elicit the cooperation of the offender (that may be the easiest task) but also to elicit the cooperation of both officials and the public in finding ways by which to build the offender into a non-criminal, non-stigmatizing role.

## Social Functions of Punishment

The third problem which the New Careers movement must confront has to do with the social functions of punishment. In our preoccupation with the limitations of punishment and degradation as means for correcting the offender, we tend to ignore other functions which punishment seems to serve. To attempt to replace these functions, therefore, without some attention to the task of finding alternatives for them is to engage in what Merton calls "sociological magic."[9] I am not sure that we can suggest adequate alternatives, but we should be aware of the problems.

The criminal is a means of dramatizing the threat of crime to the stability of society. Coser points out that just "as bodily pain serves as a danger signal, calling for the mobilization of energies against the source of disease, so crime . . . alerts the body social and leads to the mobilization of otherwise inactive defense mechanisms."[10] As Durkheim put it, "Crime brings together upright consciences and concentrates them."[11] Or, as Mead says, "The criminal . . . is responsible for a sense of solidarity. . . . The attitude of hostility toward the lawbreaker has the unique advantage of uniting all members of the community."[12] By using punishment as a reaction to crime, society tries to neutralize the offender as a potential source of infection for others.

Put in social system terms, punishment serves a boundary-maintaining function for society. "The only material," says Erikson, "found in a system for marking boundaries is the behavior of its participants; and the kinds of behavior which best perform this function are often deviant, since they represent the most extreme variety of conduct to be found within the experience of the group. . . . Each time the group censures some act of deviation, then, it sharpens the authority of the violated norms and declares again where the boundaries of the group are located."[13] In a very real sense, therefore, the community may have greater investment in keeping the offender in a deviant status than in removing him. That may be why we have elaborate rites of passage leading into the deviant role but none leading out of it. The offender, in one sense, may be of greater worth to society as a deviant than as a conformist.

The reform revolution in corrections, with its emphasis upon individualized treatment rather than revenge, is generally considered to be an antidote to the punishment philosophy. But, paradoxically, it may have reinforced, not weakened, that philosophy. The reason for this belief lies in the tendency for the treatment philosophy, like those which preceded it, to locate the primary source of difficulty within the offender. As a consequence, it has never seriously challenged the social functions of punishment and indicated the extent to which they may seriously hamper efforts at rehabilitation. Its main function, instead, has been to add a cloak of sophistication and professionalism to the correctional scene. But whether the offender's behavior is defined as "wicked" and in need of punishment or "pathological" and in need of treatment, the result is much the same. Removing the offender for purposes of "treatment" has the same social function as removing him for purposes of punishment: it validates the diagnosis of undesirability and excuses basic institutions — family, school, and work — from responsibility. It raises the question as to whether the offender's problem is correctable, suggesting that it may be a permanent malignancy rather than a temporary disability.

Cressey, in speaking to this problem, cites a growing chorus of writers who have been concerned about it.[14] Tannenbaum suggested that "the process of making the criminal is a process of tagging, describing, emphasizing, making conscious and self-conscious; it becomes a way of stimulating, suggesting, emphasizing, and evoking the very traits that are complained of."[15] Merton described the process as the "self-fulfilling prophecy."[16] Lemert coined the term "secondary deviation" to describe the outcome of the process — that is, to note that it may add to whatever criminal tendencies the offender may have brought with him to the correctional scene.[17] Thus, even though we might define the offender as "sick" rather than "wicked," we may do little to discourage the notion that he is permanently disabled, either in his mind, in the minds of correctional personnel, or in the minds of society. Although the community's investment in keeping him in a deviant status is sustained, the problem of effecting a rite of passage back into a non-criminal status may be seriously hampered.

## Correctional Structure as Problem

A fourth problem has to do with the fact that a vast correctional superstructure has been built during the past three-quarters of a century upon the premise of offender disability. A long list of people, many of them dedicated and highly responsible, including not only probation officers, prison administrators, therapists, caseworkers, teachers and guards but judges and policemen as well, fulfill roles which are complementary to the traditional offender's role. Therefore, any alteration in his role implies a change in these other roles as well. And therein lies the rub.

The Grants have already documented the fact that many of the greatest difficulties are likely to be encountered with legal and correctional structures themselves.[18] One fundamental reason is that, in proposing a change in the offender's status, we are by implication proposing a change in the statuses of a lot of other people in the whole scheme of things. Like the offender, their jobs, their self-conceptions, their relationships with others are predicated upon traditional role definitions. The statuses of professionals (especially those of lower-status members of correctional organizations), their helping roles, the powers they have to manipulate offenders depend upon the offender's remaining in a subordinate position.

If the New Careers movement is to address this and prior problems, therefore, it must seek answers to a number of difficult questions.

. . . How does it propose to redefine the correctional task?

. . . What payoff is there both for society and the offender?

. . . What kinds of correctional models are needed to implement the New Careers concept?

. . . How will the New Careers movement be evaluated so as to avoid yet another empire in corrections?

## Redefining the Correctional Task

*How does the New Careers movement propose to redefine the correctional task?*

The New Careers movement implies a redefinition of the correctional task because it seems to be based on what I would call a socialization-education-career model of corrections. Socialization is the means by which a person becomes an accepted member of a group, learns what is expected of him, acquires basic definitions of right and wrong, and develops whatever interpersonal skills he may have. It is the motivational foundation upon which the individual builds his place in the total scheme of things — in education, work, and family and among peers.

Education is the means by which an individual acquires the knowledge and instrumental abilities which are necessary for gainful employment. Its value in contemporary society is one thing that does not need to be sold. In our zeal to use the offender's knowledge about crime, however, we should not overlook the need for the many kinds of technical training that are needed in corrections. Educational efforts therefore would be directed (1) to helping the individual increase both knowledge and ability for roles in educational, research, administrative, or other activities, and (2) to developing the career opportunities needed to apply them to correctional problems.

Socialization and education by themselves are incomplete unless they seem to be going somewhere, unless they hold out some promise for a legitimate position to which are attached the customary benefits of income, security, acceptance, and prestige. Universities would have a hard time holding college students involuntarily unless the educational grind was a means to an end.

The New Careers movement has intrigued many people because it has suggested the importance of using the offender as a correctional resource. But, if there is anything even more striking about the movement, it is in the notion that a *career* in corrections might be the objective of the correctional experience, at least for some offenders. If that concept should carry the day, then the problems created by involuntarily inserting offenders into a socialization-education experience might be greatly diminished. They could more readily grasp, and accept, the reason for the experience.

On one hand, it would be less denigrating for them and, on the other, it would be more in line with the major career emphases of our society. The New Careers model, then, implies the vital importance of a career as giving meaning to the need for a change in criminal values and the acquisition of new skills.

## Potential Payoff

*What payoff is there both for society and the offender in the New Careers movement?*

The potential payoff for offenders is easy to document. The movement would:

1. Seek to use his knowledge as a resource rather than a liability;
2. Involve him actively as a reformer rather than as a perpetual enemy or a persistent dependent;
3. Constitute a rite of passage back from a criminal to a non-criminal status; and

4. Provide him with a career which could be a source of personal and social esteem rather than a source of stigma and degradation.

What has to be recognized, of course, is that many offenders would not want to participate in the process and could not be included as a careerist in corrections. The movement, therefore, is at best a partial answer and would need to consider ways by which it could be combined with other correctional and control activities.

The potential payoff for society is less easy to document. And that fact, as I see it, constitutes the major obstacle to the New Careers movement as an innovation. The success of the innovation will depend heavily upon the extent to which the public is willing to accept the possibility that the following benefits will result.

1. The movement may be able to decrease the "secondary deviations," the "self-fulfilling prophecies" now engendered by the irreversible processes of labeling, degrading, and stigmatizing the offender. By so doing, rehabilitation might be increased and crime decreased.
2. The movement may be able to carry out the boundary-maintaining functions of society by using the offender positively rather than negatively; that is, by having him contribute directly to the deterrence and rehabilitation of others, the new careerist might be more effective than if he is simply the object of punishment. There is little evidence that the present use of him as a symbol that "crime does not pay" is really effective in deterring others. Therefore, more effective methods are needed to fulfill this function. This problem is so theoretically complex that this suggestion constitutes only a partial answer to the problem. It could and should be the subject of much greater attention.
3. By placing the offender in a reformer role, the movement may be able to have a much better chance of documenting, through actual behavior, the extent to which an offender is rehabilitated. As things now stand, little behavioral evidence is available by which to predict the effectiveness of correctional efforts. I cannot stress this potentiality too highly.

The public is cognizant of the failure of the traditional prison as a rehabilitative device and, consequently, seems generally willing to consider plausible alternatives. The New Careers movement is certainly such an alternative, with potential for decreasing both costs and crime, and it should be made known to the public. Whatever steps are taken, however, it would seem imperative that an active program be instituted by which to engender public support and thereby to obtain political and bureaucratic support for whatever changes are instituted. Without such support, the needed social reconstruction cannot be realized.

## New Correctional Models

*What kinds of correctional models are needed to implement the New Careers concept?*

I do not believe that attempts should be made to sell the New Careers movement as an alternative to all correctional problems. Probation, for example, with all its limitations, seems to be successful in approximately 75 per cent of the cases.[19] Practically speaking, this means that the large majority of offenders are essentially self-correcting and, for that reason, should not be submitted to any greater separation from their daily pursuits than they already experience. Unless there is direct evidence to the contrary, the New Careers movement should concentrate upon those offenders for whom greater attention is needed, especially those who are incarcerated.

If this principle is acceptable, then the second issue has to do with the nature of correctional organizations themselves. Are they so structured as to encourage the implementation of the New Careers concept? In my opinion, they are not. Considerable reconstruction is needed. By way of illustrating this point, I should like to elaborate on the analogy by Cohen mentioned earlier.[20]

Cohen noted that life is organized in terms of social games. He suggested, for example, that if we know that baseball is the game being played, then we can make sense out of the behavior of the different players only if we know the rules of the game and the positions that are a part of it. If we do not, we often see only a meaningless congeries of disconnected acts, and, at times, even think players are insane. The same might be said for a variety of other activities. If there is some social enterprise to which different individuals contribute in different ways, the participants see their contributions as hanging together and constituting an entity in its own right: a baseball game, a geography class, a church service, a shoe store, a prison racket.

In order to "fit in," as Cohen puts it, "you have to know the rules; you have to 'have a program,' so that you may know what position each man, including yourself, is playing; and you have to know how to keep score. You cannot make sense out of what is going on, either as a participant or as an observer, unless you know the rules that define this particular sort of collective enterprise."

The point is that one's very self is constituted of the positions he plays in various games. Other people are able to place him and have successful relations with him only in terms of the positions he plays and the positions they play. His public reputation, his self-respect, depend upon how well he plays his position and, if he is a part of a team game, how well his team as a whole does. If, on the other hand, he is like the man from Mars who does not know the rules of the game, he cannot make much sense out of a third baseman charging towards the batter as he anticipates a bunt, a proctor prowling up and down the aisles as the students scribble in their blue books, a priest genuflecting at the altar during mass, or an inmate who takes great pains to "bonaroo" his clothing.

## The Games of the Past

What have been the correctional games of the past? How have they either interfered with or contributed to effective relations between staff and offenders, especially as those relations have to do with the use of offenders as a correctional resource?

The answer, of course, is that the correctional games of the past have not only failed to encourage the use of offenders as a resource but have been formally opposed, in many instances, to collaboration. The traditional prison, for example, is a caste system. Inmates and authorities are divided into discrete castes. The rules which predominate in this game favor separation and accommodation, not collaboration and assimilation. Staff and offenders operate in the same ballpark, but with a high fence in between.

The roles of captive and captor, inmate and staff, have been mutually exclusive. It has been as unlikely in the prison that an inmate could become a staff member as it was unlikely in traditional India that an untouchable could become a Brahmin. This is not to suggest, however, that all inmates would have it otherwise and that prison staff members and official rules remain the only obstructions. The "inmate code" is an obstruction. It is the consequence both of nonconformist patterns which inmates bring with them to prison and of the processes of mortification and dispossession which prison life itself imposes.[21]

The "inmate code" organizes behavior within the inmate caste; and, since it does, it serves not only inmates but officials as well. That is, since it controls behavior within the inmate caste, it is functional, along with official prescriptions against inmate-staff fraternizaton, in maintaining the uneasy accommodation of prison life. So long as the caste rules of the game can avoid the precipitation of overt conflict, officials are aided in their desire to maintain effective order and control, and the most criminally oriented inmates are enabled not only to do their time with less discomfort but also to retain considerable power within the inmate caste.[22]

It is obvious, then, that the rules of the game in the prison caste system — and to a lesser degree in other correctional organizations as well — now tend to preclude effective use of the offender as a correctional resource. Furthermore, they raise important questions regarding the extent to which it is possible to provide adequate training for offenders in new careers which they may follow after release. Such training requires rather extensive opportunity to try out new roles in research, social service, or sensitivity training — and such training departs not only from the traditional custodial and vocational programs of the prison but from traditional "treatment" programs as well. This training implies that vocational preparation or therapy take on a new guise — a guise which departs from the norms by which correctional activities have been organized for a long time.

## Pressures for Change

In recognizing the current limitations of the prison, we should not make the opposite mistake of perpetuating some of the stereotyped "shared misunderstandings" upon which the prison caste system now feeds; that is, the belief, either by offenders or staff members, that all offenders are committed more completely to crime than they actually are or that all staff members are equally committed to the belief that "once an inmate, always an inmate." We need to find chinks in the caste wall through which to insert change. One chink is stereotyping itself. It has functional qualities in the sense that it smooths interaction and denotes a kind of model behavior but, just as not all people in church are equally holy, so there are vast differences among inmates or staff.

Enough is known about bureaucratic organizations to suggest that, unless prospective organizational changes are supported by both the policies and persons of top administration, it is unlikely that such changes will be instituted. The correctional organization will tend to play the game according to the old set of rules. But enough is also known about bureaucratic organizations to suggest that a mere expression of administrative support and a mere change in formal policy are not enough. Traditional routine, the possibility of conflict, the comfort of doing things as they have always been done tend to vitiate prospective changes unless they are backed up by careful planning, training which is broadly conceived to explore issues as well as techniques, extensive support in times of crisis and, above all, rewards for staff and inmates which are in support of the desired innovation. But it is one thing to recognize the limitations of present practices and quite another to find adequate alternatives.

The positions which staff members currently occupy, their security, and the prestige which they enjoy have been derived from the system as it currently operates. It is not hard to understand, therefore, why change is resisted, especially when the task is that of dealing with offenders whose previous records of illegitimacy make them suspect and from whom society expects protection. Thus the forces which cause staff members to invest so much energy in maintaining the *status quo* contribute to the aforementioned tendency for correctional organizations to submit men to processes of mortification and dispossession — processes which are necessary in managing the security of a large number of captives in a small space.[23] And, in turn, these processes confirm the validity of the "inmate code." Since the code is the major basis for classifying and controlling social relations within the captive caste,[24] a prisoner's status depends upon his conformity to it. And it is significant that, even though there are men in prison who identify with legitimate subcultures outside the prison, many of them still subscribe to such directives of the inmate code as "do your own time," "don't interfere with others," "don't lose your head."[25] There is little to be gained from interfering with other inmates even though one may disagree with them.

It is this fact which illustrates the negative aspects of the inmate code and the hopelessness of the legitimately oriented inmate. The code is oriented more to resisting pressure from without than to uniting offenders in the realization of some shared objective requiring dedication to a common welfare and improved instrumental, interpersonal, and organizational skills. Thus, if some of the caste-like characteristics of the prison can be altered through official support for change, some of the pressures which prevent effective collaboration between offenders and staff can be removed. Offenders can be given some stake in making changes or taking a stand in favor of legitimate behavior. The basic question, of course, is how this can be accomplished. What strategies might be used?

The most obvious need is for a drastic alteration in the rules of the game that govern interaction in prisons and reformatories. It is difficult to say with precision just what such alterations would involve, but since the New Careers movement implies a process of socialization and education not unlike that administered in educational organizations, the structure of educational organizations might provide some clues.

Consider the university. Not only does it prepare people for careers outside the university but it recruits new personnel from within its own ranks. With all its stuffiness, it is still an open-status system so that, by going through a series of socializing and knowledge-building steps, the embryonic professor is recruited.

The first step for the potential recruit is novice (undergraduate) training.

If he completes it successfully, he is inducted by rite of passage (graduation), into a second stage. The second stage is an apprenticeship stage (graduate training). Not only does the apprentice pursue his own knowledge during this stage, but he is placed in the business of training new novices through teaching and research. If he is successful, he is finally inducted by a second rite of passage into full status as a faculty member. The model may have something to commend it for the purposes of offender rehabilitation.

By contrast, compare the university model with prisons and other correctional organizations. Obviously, there are vast differences which highlight the problems to be addressed. But why, it might be asked, could not some of the features of an educational organization be adopted for correctional purposes?

The first possible asset inherent in such an adoption has to do with motivation. There are few better times to motivate a person to want to do something about a problem than when he is enmeshed in it. It seems hard to imagine that anyone is more inclined to want to change prison life than prisoners. Where, therefore, is there a better training ground for that purpose than within the correctional organization itself?

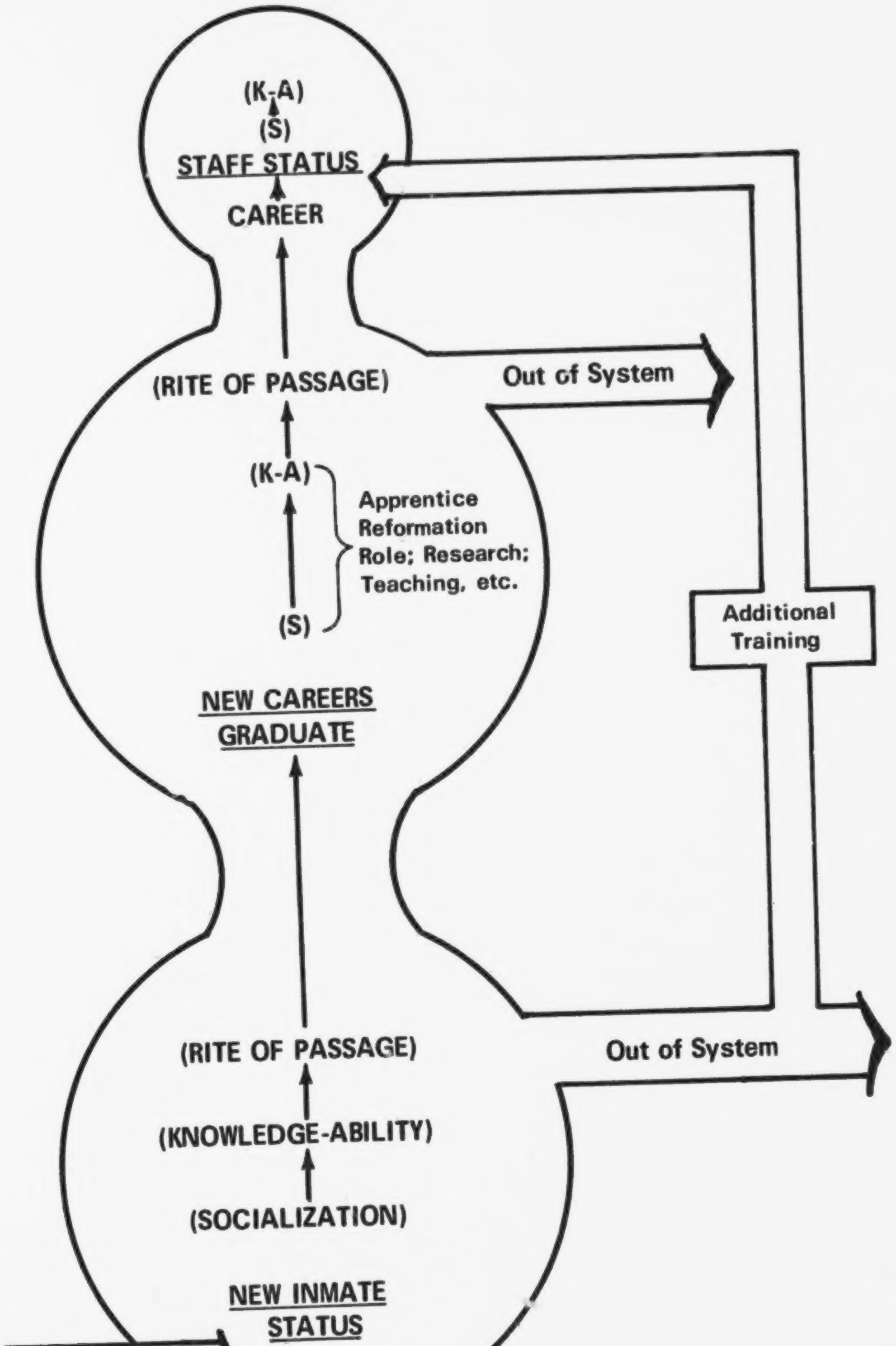
Second, a socialization-education-career model might be useful in breaking down old caste relationships between staff and inmates and thereby enhancing communication on all the problems that remain hidden or unaddressed under present circumstances — the hidden rackets, exploitation of inmate by inmate, the problem of making the prison experience seem relevant to the offender as a correctional device. If for no other reason, the training and use of the offender as a correctional resource would help to dispel the negative aspects of prison life in which offenders learn — rather than unlearn — better techniques and rationalizations for committing crime.

Third, the training and use of offenders as a correctional resource makes use of the principle of "retroflexive reformation" mentioned earlier. It is the principal characteristic of such organizations as Alcoholics Anonymous and Synanon. The offender who tries to help others is better helped himself. By adopting the role of reformer, he is placed in the positive position of trying to induce change and is more likely to accept that change than when he is in the negative position of being acted upon.

Fourth, if means can be established by which offenders are sponsored in helping roles, better criteria become available with which to judge their motives and progress. One of the most profound problems for correctional organizations is in finding means by which to assess the readiness of an offender for release. What better means, then, than to provide a system in which progress is judged by the capacity of an offender to assume a reformation role?

Finally, the possibility of a linkage between the correctional experience for an offender and a career in corrections would be highly desirable. It is one of the most sought after, but little realized, objectives in correctional operation. Yet, that is what the New Careers model implies. The offender would be able to note some direct connection between his correctional experience and a new, nondelinquent career in the future — one in which he may not only be able to help others but which would aid him in staying out of future difficulty himself.

## NEW CAREERS MOVEMENT AS A SOCIALIZATION-EDUCATION-CAREER MODEL


(K-A)
(S)
STAFF STATUS
CAREER
(RITE OF PASSAGE)
Out of System
(K-A)
Apprentice Reformation Role; Research; Teaching, etc.
(S)
Additional Training
NEW CAREERS GRADUATE
(RITE OF PASSAGE)
Out of System
(KNOWLEDGE-ABILITY)
(SOCIALIZATION)
NEW INMATE STATUS
INTAKE

### Nature of Correctional Model

The figure is a graphic representation of a correctional model of the kind being discussed. Like the university model, the inmate would be introduced to the new system as a novice. If he completes his novice training, he may then be routed along one of two courses: either he is routed out of the system by means of parole; or he is inducted by rite of passage into a second stage of preparation. The second stage, like graduate training, would be an apprenticeship stage in which he would receive further training for a career in corrections. Not only would he be continuing his own rehabilitation, but he would be placed in the business of training new novices through teaching, research, group counseling, etc. If he is successful, he is finally inducted by a second rite of passage into full status as a staff member or routed out of the system, should that seem best.

In contrast to the university, one major objective of this organization would be to develop and maintain an anti-criminal culture in which offenders play key roles. The objective *would not* be that of recruiting offenders to fill staff positions as they have been traditionally performed — that is, to preserve a rigid caste system. What is sought, instead, is membership in a new movement in which there is motivation for change and potential for a new identity. Rather than being a perpetual source of degradation and shame, the offender's knowledge about crime and its problems would now become a valuable source of information and a means of achieving dignity as a resource person.

The creation of such a new system would pose obvious difficulties for existing staff members. They would have to change. But rather than replacing them, this model implies placing them in a different role. The rules of the game would be changed. They would now become collaborators and facilitators in helping offenders to assume legitimate roles rather than mere custodians and imposers of change. The education of various professionals — for example, in therapy, education, or administration — would be invaluable in aiding them to train offenders. Conversely, the knowledge and perception of offenders would be invaluable to the professional in helping him to gain a better understanding of crime and criminals. Both would be players in a new game in which the objective is an anti-criminal reformation culture.

Two important things should be remembered. One purpose of making these changes would be to add additional resources to the correctional organization. Not only are there serious staff shortages which trained offenders might fill but their very presence would help to change the deadening, divisive character of these organizations. Second, new careers for offenders would be a device for screening offenders *back into* legitimate roles, rather than screening them out as our present system tends to do. We would be developing a rite of passage back into legitimate roles as an antidote to the present rite of passage which only serves to screen them out.

There is no reason to assume that all offenders would want new careers in corrections, especially in prison organizations. But the mere fact that the organization might be redesigned along the socialization-education-career model would help to change the nature of correctional organization. The mere presence of some former offenders, working their way into staff positions or successfully filling them, would be a marked incentive both to them and others.

## Research and Evaluation

*How will the New Careers movement be evaluated so as to avoid yet another empire in corrections?*

A fundamental problem in corrections has been the unsystematic way we have approached the rehabilitative task. Corrections has not been rationally implemented; it has evolved. It has been guided by what Wright calls "intuitive opportunism," a kind of goal-oriented guessing, a "strategy of activity."[26] Instead of proceeding systematically to define and then to solve our correctional problems, we have made sweeping changes in correctional programs without adequate theoretical definitions of the causes of crime or the development of strategies to deal with them. The New Careers movement threatens to do the same. I feel strongly, therefore, that the previous "strategy of activity" should not be followed in this case but should be replaced by a "strategy of search." A "strategy of search" should be a part of the movement.

A "strategy of search" would hope to impose the rigors of scientific investigation in such a way that the emerging movement would not only produce a cumulative record, useful in preventing repetitive errors, but also organize a plan of attack. Those who are involved should have some shared idea of where they are going and where they have been. If I had to make a choice, therefore, between outright and hurried implementation without benefit of careful research, and a slower pace that would guarantee evaluation, I would prefer the latter. Corrections could benefit from such an approach, for it would give corrections people the advantage of being able to learn from failure, as well as from success, so that their progress might be less random.

Consider one simple example. This analysis has treated all criminals as though they were a unidimensional phenomenon. Such is not the case. There are different types with different needs. For corrections to be successful, therefore, it must pursue means by which types of offenders might be related to types of programs. One way of dealing with this problem in the New Careers movement would be to work on the development of typologies, to determine what happens to those types during and after the correctional process, and then from the findings to make recommendations both as to the kinds of modification in program that should be made and the types of offenders who should be excluded from New Careers endeavors.

## Summary

In summary, this paper has suggested that the use of offenders as a correctional resource should be part of a larger endeavor to provide correctional careers for offenders. If this endeavor is to be implemented, it will likely encounter problems of four types:

1. The tendency to locate the total source of the problem to be corrected within the individual;
2. The difficulty of finding a rite of passage back from a criminal to a non-criminal status, equivalent in impact to the dramatic rituals of labeling and stigmatizing;
3. The social function of punishment as a boundary-maintaining mechanism; and
4. The resistances of legal and correctional structures to change.

As a means of approaching these problems, it was suggested:

1. That the New Careers movement be considered as a socialization-education-career model;
2. That some correctional organizations be redesigned to try out this model, at least for the more serious offenders;
3. That a "strategy of search" be designed to evaluate any attempts at innovation;
4. That the potential payoff for the offender is in terms of a significant rite of passage back from a non-criminal status; and
5. That the payoff for society is in terms of a potentially more effective method of rehabilitation and a positive, rather than negative, way of carrying out the boundary-maintaining function.

## References

[1] J. Douglas Grant, "The Offender as a Manpower Resource in the Administration of Justice," unpublished paper, Nicasio, California, 1967, p. 2. See also Richard A. McGee, "The Frame of Reference" in *The Offender: An Answer to the Correctional Manpower Crisis,* Proceedings of a Workshop on The Offender as a Correctional Manpower Resource: Its Implementation, Asilomar, Calif., September 1966 (Sacramento, Calif.: Institute for the Study of Crime and Delinquency, 1966), pp. 1-7. Latter publication referred to hereinafter by title.

[2] Daniel Glaser, "The Prospect for Corrections," paper delivered at the Arden House Conference on Manpower Needs in Corrections, 1964, mimeo.

[3] Albert K. Cohen, "Delinquency as Culturally Patterned and Group-Supported Behavior," paper delivered at the Twelfth Annual Training Institute for Probation, Parole and Institutional Staff, San Francisco, 1960; and LaMar T. Empey, "The Role of Social Reconstruction in the Reintegration of the Offender: Problem and Prospects" in *Law Enforcement Science and Technology,* S. A. Yefsky, ed. (Washington: Thompson Book Co., 1967), pp. 235-236.

[4] Donald R. Cressey, "Theoretical Foundations for Using Criminals in the Rehabilitation of Criminals" in *The Future of Imprisonment in a Free Society* (Chicago: St. Leonard's House, 1965), p. 90.

[5] Donald R. Cressey, "Changing Criminals: The Application of the Theory of Differential Association," *American Journal of Sociology,* LXI (July 1955), 119.

[6] Kai T. Erikson, "Notes on the Sociology of Deviance" in *The Other Side,* Howard S. Becker, ed. (New York: Free Press, 1964), p. 16. See also Howard S. Becker, *Outsiders: Studies in the Sociology of Deviance* (Glencoe, Ill.: Free Press, 1963), ch. 1.

[7] For a summary of these programs, see LaMar T. Empey, *Alternatives to Incarceration,* Office of Juvenile Delinquency and Youth Development Studies in Delinquency (Washington: U. S. Government Printing Office, 1967).

[8] J. Douglas Grant and Joan Grant, *New Careers Development Project: Final Report.* (Sacramento: Institute for the Study of Crime and Delinquency, 1967).

[9] Robert K. Merton, *Social Theory and Social Structure,* (rev. ed., Glencoe, Ill.: Free Press, 1957), p. 81.

[10] Lewis A. Coser, "Some Functions of Deviant Behavior and Normative Flexibility," *American Journal of Sociology,* LXVIII (1962), 172.

[11] Emile Durkheim, *Division of Labor in Society* (Glencoe, Ill.: Free Press, 1947), p. 102.

[12] George Herbert Mead, "The Psychology of Punitive Justice," *American Journal of Sociology,* XXIII (1928), 591.

[13] Erikson, *op. cit.,* pp. 13-14.

[14] Cressey, "Theoretical Foundations for Using Criminals in the Rehabilitation of Criminals," pp. 96-97.

[15] Frank Tannenbaum, *Crime and the Community* (Boston: Ginn & Co., 1938), p. 21.

[16] Merton, *op. cit.*, pp. 421-436.

[17] Edwin M. Lemert, *Social Psychology* (New York: McGraw-Hill, 1951), pp. 75-76. See also Becker, *Outsiders*, ch. 1.

[18] Grant and Grant, *op. cit.*, pp. 12-13.

[19] For a summary of research studies, see Empey, *Alternatives to Incarceration*, pp. 31-33, and Ralph England, "What is Responsible for Satisfactory Probation and Post-Probation Outcome?" *Journal of Criminal Law, Criminology and Police Science*, XLVII (1957), 667-677.

[20] Albert Cohen, "Delinquency as Culturally Patterned and Group-Supported Behavior." The excerpt paraphrasing Cohen which follows was taken, in part, from LaMar T. Empey, "Rules of the Game: Problems in Staff-Offender Relations" in *The Offender: An Answer to the Correctional Manpower Crisis*, pp. 85-94.

[21] Erving Goffman, "On the Characteristics of Total Institutions" in Donald R. Cressey, ed., *The Prison: Studies in Institutional Organization and Change* (New York: Holt, Rinehart and Winston, 1961).

[22] For various analyses of the prison, see Richard A. Cloward and others, *Theoretical Studies in the Organization of the Prison* (New York: Social Science Research Council, 1960); Donald R. Cressey, ed., *The Prison: Studies in Institutional Organization and Change;* Gresham M. Sykes, *The Society of Captives* (Princeton: Princeton University Press, 1958), and Donald Clemmer, *The Prison Community* (reissued ed., New York: Rinehart, 1968).

[23] Goffman, *loc. cit.*

[24] Gresham M. Sykes and Sheldon Messinger, "The Inmate Social System" in *Theoretical Studies in Social Organization of the Prison.*

[25] *Ibid.*, pp. 15-19. See also Gresham M. Sykes, *The Society of Captives*, pp. 79-82.

[26] John C. Wright, "Curiosity and Opportunism," *Trans-Action*, II (1965), 38-40.

~

# LAW, POLITICS, AND EX-OFFENDERS IN THE CORRECTIONAL PROCESS

Gilbert Geis

It is an oft-repeated cliché of American government that Supreme Court justices follow the election returns with rare diligence; it is beyond noting that politicians share this habit with them. There are endless examples of how the legal and political systems move in tune to the public mood. But it must be observed that the pattern is often in the modern style rather than that of bygone decades. That is, the partners do not always move in rhythmic harmony, they sometimes perform in separate spheres, and they are wont on occasion to go their own way altogether. It is this disjunction — the gap between the dancers, between public opinion and the legal and political systems — that provides important raw material for analysis of the legal and political aspects of the New Careers movement.

It is axiomatic to observe that fundamental changes in public attitudes will bring in their wake radical alterations in the legal and political systems. It is more challenging, however, to attempt to discover how the legal and political systems may be maneuvered in the absence of, or in advance of, public support.

Public opinion is not apt to be mobilized very forcefully on the question of putting offenders and ex-offenders on correctional payrolls unless an organized, concerted effort is made toward this end. For one thing, there is very little involved of direct and visible value to the public. There is the threat of deprivation of benefits in the form of opportunities for work, there is the threat of added costs, and there is an inordinately powerful psychological threat involved in employing (that is, "rewarding") "bad" people in preference to "good" people.

Powerful dosages of self-righteousness lie at the core of this public concern with offenders. Such self-righteousness demands demonstration of the rewards accruing to the good and the penalties befalling the wicked. It evolves from the capriciousness of God in manifesting His regard for the well-behaved and the ensuant necessity to establish earthly documentation of the value of virtue.[1]

The dynamics of this process is clearly portrayed in Hannah Green's novel, *I Never Promised You a Rose Garden.* In the book, a mental patient is asked why it is that one ward attendant has such success with patients, while the other has such a desperately difficult time that he ultimately commits suicide.

> Deborah knew why it was Hobbs and not McPherson. . . . Hobbs *was* a little brutal sometimes, but it was more than that. He was frightened by the craziness he saw around him because it was an extension of something inside himself. He wanted people to be crazier and more bizarre than they really were so that he could see the line which separated him, his inclinations and random thoughts, and his half-wishes from the full-bloomed, exploding madness of the patients.

---

*Dr. Geis is professor of sociology at California State College, Los Angeles.*

> McPherson, on the other hand, was a strong man, even a happy one. He wanted the patients to be like him, and the closer they got to being like him the better he felt. He kept calling to the similarity between them, never demanding, but subtly, secretly calling, and when a scrap of it came forth, he welcomed it. The patients merely continued to give each man what he really wanted.[2]

The essential nature of public opinion regarding the placement of ex-offenders in desirable social positions is a reflection of Miss Green's vignette. There is a strong desire amongst us to see that those who have acted out impulses for reward-without-work, sex-without-sanctity, or profit-without-piety are flagellated and kept at arm's length so that we may be reassured about the soundness of our own commitment. It is this kind of self-righteousness that underlay, for instance, the willingness of many persons to believe in Orson Welles' radio portrait of the invasion from Mars. Such persons desperately wanted the world to come to an end, so that they could at last demonstrate to their erring brethren that there indeed existed a divine will dedicated to rewarding the good (themselves) and to punishing the deviant.[3]

Public opinion can, of course, be placated, cajoled, and won over. This may be done most efficiently by appeals to its self-interest, combined with reiterated support of its standards. In this manner, for example, ex-Communists readily moved into a commanding position in the fight against communism. They did so by trading on acquired information and by putting forth heavy dosages of self-blame and a vitriolic campaign against their former companions.[4]

It is here that the program for hiring offenders and ex-offenders seems to be most notably in default, in the unwillingness of its constituents (out of a certain good and common sense, it might be noted) to heap dung upon themselves for their earlier way of life, and their failure to level a cannonade of abuse against those presently pursuing a life of crime. The strikingly notable exception of Synanon, whose adherents are more than willing to assume the position of penitents and crusading converts, suggests a major reason for Synanon's considerable success as surely as it indicates by contrast a large part of the underlying reason for the relative difficulty with campaigns to provide establishment work for ex-offenders and offenders.[5]

## The Ex-Offender and the Political Scene

There are political fortunes to be made these days from perfervid crusades against crime. Recent surveys indicate, for instance, that the public is even more concerned about crime in the streets than about the war in Vietnam. On the national level, President Johnson is campaigning vigorously for his Safe Streets bill, after having appointed a national crime commission in the wake of Barry Goldwater's invocation of crime as a national issue during the 1964 election campaign. Other political figures are equally well attuned to the national mood. Ronald Reagan is claiming that life is now safer for Californians because of increased penalties for rape and armed robbery. Richard Nixon is suggesting that capital punishment is meritorious because it produced a decline in kidnaping. George Romney has insisted that the total moral fibre of the country is in a state of collapse, a notion obviously discordant with the public view that it is not *its* moral fibre that requires repair, but rather that of those *other* persons.

Much of the public indignation regarding violent crime represents, of course, a thinly camouflaged vendetta against Negroes, a group which, like offenders and often coterminous with them, is dispossessed and disparaged. However, unlike offenders, Negroes are in the midst of pushing dramatically for redress of longstanding injustices, and they have employed both the political system and the legal system to provide leverage in the conflict between their upward efforts and the counteracting attempts to keep them in their place, down and away.

## The Negro and the Ex-Offender

Similarities and disparate elements between the Negro movement and the aspirations of ex-offenders provide considerable insight regarding the interaction among public opinion, political systems, and the legal apparatus, as these items bear upon the likelihood of either group's securing its will and the speed at which such achievement will be made, if it is made at all.

The handicaps of both groups in the social arena should be taken as a starting point. Both are minorities, though, it may be noted, ex-offenders are something less of a minority than is commonly assumed. Negroes constitute approximately 11 percent of the American population, or about 20 million persons. The number of ex-offenders is somewhat more difficult to determine. Sol Rubin, after some intricate mathematical effort, concluded that there are about 50 million Americans with criminal records, about 10 million of whom have records for crimes that are considered serious.[6]

It is the problem of group membership that most differentiates the two minorities. For one thing, by the convoluted logic of American race semantics, a Negro is a Negro, regardless of the realities of genetic logic or fractional commonsense. Membership in the class is determined by birth. Ex-offenders, on the other hand, arrive at their station by very different routes and at different times. They share a common experience, as do Negroes, but this experience usually forms a much smaller portion of their total life. There is, therefore, rather little common identity among ex-offenders and much opportunity for the adept to avoid categorization with the outcast group. However, it should be noted, such opportunities for escape are of fairly recent origin. In earlier times branding, use of special identity cards, and similar techniques designed to provide continuing segregation of the offender from "decent" society were commonplace.

A further handicap is found in the fact that both the ex-offender group and the Negro tend to be powerless in terms of the usual components of social strength, such as money and prestige. Unlike the ex-offender, the Negro has not demonstrably behaved poorly, except as he is daubed by the stereotypic brush of majority judgment and subjected to the slings of extrapolative condemnation. The ex-offender, however, by definition has offended. This allows redemptive possibilities, but more importantly it preempts possibilities for appeal against unjust retaliation inflicted upon innocent and blameless persons.

Even so cursory a review of the handicaps of Negroes and those of ex-offenders suggests very clearly that Negroes are in a much better position in terms of the ingredients determining the effective exercise of power in American society to exert suasion upon the social system. The physical distinctiveness of Negroes forecloses the possibility of amalgamation, a most attractive avenue for the ex-offender. Such distinctiveness obviously increases the possibility of social distress, but it also provides a vital framework for group coherence and identity. Ex-offenders, lacking a core of common interests, tend to operate from a weak and vulnerable position. Negroes have to remain Negroes; it is therefore patently in their interest to advance the cause of Negroes as far as possible. Ex-offenders will either have to be isolated so effectively from the mainstream of society that they will cluster together for self-protection or will have to discover some unique advantage in voluntarily retaining their identity as ex-offenders. It is, of course, such a unique position that the New Careers approach offers — the opportunity to trade on the expertise alleged to inhere in the reformed criminal.

## Expertise and the American Dilemma

The Negro civil rights movement and the ex-offender civil liberties movement — to continue the comparison — make different uses of the matter of expertise. It is only peripherally that the Negro holds out to society the offer of indigenous talent. It is sometimes argued that the southern economy is backward by northern standards because it failed to train and then to utilize Negro manpower, just as it is often argued that baseball was a more poorly performed sport prior to the appearance of Negroes on major league rosters. But these are disputes designed only to assuage the American interest in practicality and profit.

But much more meaningful support will become available for the New Careers movement (just as it did for the Negro movement), if advocacy can be attached to something intrinsic in the American spirit, some element of commitment so unequivocal and deep-rooted that it may be denied only at the expense of tortured logic and the defiance of clear and fundamental precepts. It is at this point that the legal system and the New Careers movement should join hands, with the legal system being employed to mount a vigorous campaign for equality not only for new careerists but for their comrades as well. In the Civil Rights movement, it will be remembered, it was primarily through the use of constitutional litigation that mass breakthroughs were achieved. Such breakthroughs were neither so complete nor so penetrating as might have been desired — and it is obviously necessary to complement legal recourse by diverse other tactics — but it cannot be gainsaid that it was the persuasion of law that carried the day for the Civil Rights movement. It was, to use Myrdal's compelling term, the incessant demonstration of the existence of a dilemma at the heart of American life, a dilemma epitomized by the discrepancy between articulated principles and actual practices, that set the stage for the granting of human rights to Negroes in America.

It is, of course, the legal system which ultimately adjudicates the existence of an intolerable gap between fundamental principles and actual conditions. In the case of ex-offenders, the obvious nature of such gaps and the failure to litigate them to a satisfactory conclusion seem to me to represent the greatest shortcoming to date (and the greatest hope for the future) of New Careers efforts. To the extent that the polity may, for instance, deny a man the right to vote or to marry, to that extent and more will it be easy and conscionable to deny him the right to utilize his special abilities in the service of the society.

## Human Exiles in a Democratic Society

The aims of a sensible correctional program have been enunciated with both clarity and compassion by Margery Fry, a lifelong scholar and reformer in the field of penology.

> We are looking towards a system which shall renounce the ideas of weighing wickedness and turn instead to estimating danger, which shall at once acknowledge our ignorance and employ our knowledge to the full; strong enough for gentleness and wise enough for tolerance.[7]

Viewed in terms of the present paper, Miss Fry's comments would mean that, in the absence of a reasonable indication of the danger to the social order attendant upon such circumstances, persons involved in criminal activities should be entitled to the full range of constitutional rights accorded other citizens. There are telling arguments to maintain that such an approach would, by limiting alienation and shoring up self-esteem, better serve rehabilitative ends, but such disputation exceeds the bounds set here. Rather, I would argue, a democratic society serves its own ends by seeing that all its members are allowed as full a participation as is commensurate with that society's well-being.

A number of illustrations will suffice. Negroes, for instance, were granted the right to vote when the Fourteenth Amendment was added to the Constitution at the conclusion of the Civil War. Women gained the franchise when the Nineteenth Amendment was ratified by the states. Participation in the electoral process of our society is regarded as a key indication of the vigor and the health of its citizenry. Prison inmates, however, and in most states persons with felony records are not permitted to vote.

It may be argued that such a fundamental forfeiture of democratic right is reasonable retaliation for failure to abide by other standards of the society. Such a view breaks down into empty rhetoric, however, in the face of studies indicating widespread, sometimes ubiquitous, illegality (such as white-collar crime), aberrant enforcement procedures, and the absence of any reasonable relationship between social danger and the right of inmates and parolees to vote. It hardly seems likely, for instance, that offenders would use the ballot box to undermine the society, any more than Negroes, women, or corporation executives do. For one thing, of course, numerous studies indicate that in most matters prisoners are more moral than the average non-violator.[8] For another, it appears perfectly likely that a coterie of offenders would vote in a pattern quite consistent with that of persons sharing their social background.

It also seems likely, however, that, given the franchise, offenders would be able to attract much more attention by the political system, a system responsive by definition to the voting force of its constituents. Under such conditions, legislatures would probably be responsive to demands for the removal of cognate kinds of restrictions which currently inhibit the advance of New Careers programs.

Lest the idea of franchise prerogatives for law violators seem too far-fetched — as no doubt the idea of the franchise for women and Negroes did at one time — it may be noted that the New York State Narcotic Addiction Control Commission recently announced that it would encourage its wards, civilly committed addicts, to participate in the November elections. The New

York City Board of Elections did not argue the matter, its commissioner noting: "There is nothing, so far as I can see, that disqualifies a person from voting with an absentee ballot solely because he is a civilly committed narcotic addict." The only stipulation was that each onetime addict submit an affidavit certifying that he was not insane.[9] It seems difficult, given such circumstances, to insist that there is something distinctly different about a narcotic addict, committed after waiver of a felony, and one confined to prison without such a waiver.

Deprivation of rights constitutionally guaranteed to other citizens is inflicted upon criminal offenders for historic rather than rational or (it is being argued here) Constitutional reasons. In Roman times, as well as among preliterate tribes, the violator was banished from civil society, sometimes so that the gods would be placated, on other occasions in other places so that peace would prevail without endless retaliatory gestures by the victim or his kin. Today in most states, life-termers are still legally banished — defined as "civilly dead" — as if Roman civilization and its needs and eccentricities had not passed away almost 2,000 years ago. It was the civil death doctrine, in fact, which was employed to prohibit Caryl Chessman from writing further books in San Quentin, despite the patent obligations of the state under the First Amendment's protection of free speech. The San Quentin warden, declaring Chessman legally dead because of his conviction, decreed that his literary output was the property of the state, to be suppressed at its will.[10]

Nonetheless, the irrespressible surge toward equality for all citizens, be they imprisoned or free, can clearly be read from a recent decision of the U. S. Court of Appeals for the Second Circuit, granting a prisoner in New York the right to seek relief under the Civil Rights Act with a claim that he suffered inhuman treatment in a "strip-cell" for minor prison infractions. Until 1962, no prisoner could prosecute his cause in state courts because of New York's civil death statute. Particularly noteworthy in the New York case is the observation by Judge Irving R. Kaufman that "we cannot flinch from our clear responsibility to protect rights secured by the federal constitution."[11]

Inmates of correctional facilities, to continue momentarily the list of medieval conditions, are also forced to work for wages that presumably were abolished with the constitutional excision of slavery following the Civil War. It is not unlikely, in this regard, that resistance to employment of ex-offenders in adequately remunerated positions in the correctional process is part of this much broader situation which keeps institutional inmates in servitude. It hardly seems to be a debatable issue that in a democracy persons should be paid at standard rates for the work that they do, with costs associated with their maintenance then deducted from their salaries. That such a program is not altogether untenable is indicated by John Conrad's report from the Soviet Union. Describing his visit to the corrective labor colony at Kryukovo, Conrad writes:

> Everyone was paid in accordance with a formula based on rates prevailing for regular industry. For highly skilled inmates, the scale might be about 75 per cent of ordinary rates, for less skilled inmates the rates would be no less than 45 per cent. The deductions made (difference between paid rate and full rate) were for the cost of maintenance of the colony. The inmate was free to use the earned money

> as he liked. He could send his earnings to his family, save it for his release, or spend it all in the canteen. The major [warden] was obviously proud of his work program and thought that he was succeeding in conveying the joys of labor, even the joys to be found at a punch press or an automatic stamping machine.[12]

Little use would be served by listing (and less by giving in to the impulse to caricature) the remainder of the panoply of astonishingly repressive measures leveled against offenders in our society in the explicit attempt to force them to the sidelines of the social system and to preempt from them rights deemed unassailable in a free society.[13] Such assaults are most often justified by the tautological slogan that "offenders have no rights"; just as, prior to *Gault*,[14] the constitutional atrocities directed against juveniles were founded on similar pretexts.

There are curfew laws for parolees and regulations which refuse them the right to marry without the permission of their probation or parole officer. It was only in the face of constitutional imperatives insisting that there be strict separation between church and state that rules requiring divine worship by parolees fell, just as, finally, new rules are beginning to emerge which permit offenders to be represented by attorneys at parole revocation proceedings.[15] The no man's land of incarceration, with the Constitution standing neglected outside the prison walls, is a story unto itself, the recounting of which would serve no additional purpose here. Among other things, as Halleck has observed, "prisoners are deprived of the opportunity of doing socially useful work" and "activist tendencies such as reform or political activities are vigorously discouraged."[16] Which, to say the least, puts the matter mildly.

The plight and subsequent move toward liberation on the part of groups other than the Negro might be noted briefly to put the situation of the ex-offender into further perspective. Thus, for instance, the historic shackling of the private rights of school teachers in earlier times has given way today to much greater freedom and to a rising tide of militancy in pursuit of personal and professional goals.[17] In the same manner, the abysmal conditions of mental patients have yielded to more enlightened views, so that a recent report by the Institute of Public Administration was able to propose a "bill of rights for mental patients," including the right to receive uncensored mail and to manage their own property. "Society as a whole has a right to protection against the occasional violent actions of an individual with a history of psychiatric illness," the report notes. "But wholesale acts of discrimination against all former patients may result, in effect, in class discrimination."[18]

## Summary

Perhaps the foregoing observations have been too fragmented to convey with adequate clarity the burden of the argument being put forward here. It has not been the primary intention to campaign either for the voting privilege for inmates and ex-offenders or for going-rate wages for prison labor, though both of these items are admirable goals and their advancement part of a worthy cause.

A more general, underlying motif is being addressed here. That idea insists that this is a country founded on, and (to the best of its often-flagging ability) run on, principles of equity and justice. It insists that the plight and plea of offenders and ex-offenders in New Careers programs have virtue and merit. There are practical values to be realized in utilizing offenders and ex-offenders in the correctional system. Such values need to be documented with as much astuteness as possible. Social science research has adequate equipment to determine with some precision the gains and losses along relevant dimensions of programs using offenders and ex-offenders.

The political system will, of course, be somewhat responsive to such demonstrations, particularly if they indicate that fiscal advantage accrues from the use of offenders and ex-offenders. But the fundamental issue is neither fiscal nor expedient; it is ideological. It is in terms of ideology that the legal system offers the best resource for the advancement of the cause of the offender and the ex-offender. Judges assuredly are responsive to much the same emotions as their lay brethren; they operate with about the same set of social facts; and they are not wont to ignore altogether the election returns. But judges are also dedicated to, and in moments of grace they reach heights of, constitutional integrity and wisdom that serve to make this democracy operative and decent.

It is the particular thesis of this paper that the New Careers campaign should focus not only on obtaining merited positions for offenders and ex-offenders, but more fundamentally on fighting for the extension of constitutional rights to all offenders involved in the correctional system. In such a manner, the New Careers movement will be given a coherent ideology that, it seems to me, must finally become irresistible. It will not do to extract a few "deserving" ex-offenders from the mass and blend them into the establishment. That goal is too short-sighted and its reward too negligible. The New Careers approach, I believe, should widen its horizons, so that they extend to the launching of an onslaught against self-defeating conditions wherever they bear upon the correctional system.

## References

[1] See Max Weber, *The Protestant Ethic and the Spirit of Capitalism*, trans. Talcott Parsons (London: Allen & Unwin, 1930).

[2] Hannah Green, *I Never Promised You a Rose Garden* (New York: Holt, Rinehart, and Winston, 1964), pp. 74-75.

[3] See Hadley Cantril and others, *The Invasion from Mars* (Princeton: Princeton University Press, 1940).

[4] Herbert L. Packer, *Ex-Communist Witness: Four Studies in Fact Finding* (Stanford: Stanford University Press, 1962).

[5] See Daniel Casriel, *So Fair a House* (Englewood Cliffs, N. J.: Prentice-Hall, 1963) and Lewis Yablonsky, *The Tunnel Back: Synanon* (New York: Macmillan, 1964).

[6] Sol Rubin, *Crime and Juvenile Delinquency: A Rational Approach to Penal Problems* (2d ed., New York: Oceana Publications, 1961), pp. 150-151.

[7] Margery Fry, *Arms of the Law* (London: Victor Gollancz, 1951), p. 207.

[8] See G. M. Gilbert, "Crime and Punishment: An Exploratory Comparison of Public, Criminal, and Penological Attitudes," *Mental Hygiene*, XLII (1948), 550.

[9] *New York Times*, Sept. 24, 1967.

[10] Brad Williams, *Due Process* (New York: William Morrow, 1960), p. 286.

[11] *Wright v. McMann*, 387 F. Rep. 519 (1967), 527.

[12] John P. Conrad, *Crime and Its Correction: An International Survey of Attitudes and Practices* (Berkeley and Los Angeles: University of California Press, 1965), pp. 160-161.

[13] See, for instance, Fred Cohen's fine survey of legal norms in corrections, which was reproduced in part in President's Commission on Law Enforcement and Administration of Justice, *Task Force Report: Corrections* (Washington: U. S. Government Printing Office, 1967), pp. 82-92. Two earlier reviews are by Paul W. Tappan: "Loss and Restoration of Civil Rights" in *Yearbook* (New York: National Probation and Parole Association, 1952) and "The Legal Rights of Prisoners," *Annals of the American Academy of Political and Social Science*, CCXCIII (1954), 99-112.

[14] *In re Gault*, 387 U. S. 1 (1967).

[15] *People v. LaVallee*, 286 N.Y.S. 2d 600 (1968).

[16] Seymour L. Halleck, *Psychiatry and the Dilemma of Crime* (New York: Harper & Row, 1967), p. 287.

[17] See Gilbert Geis and Robley Huston, "Trends in the Dismissal of Tenure Teachers," in *Yearbook of School Law*, 1962 (Danville, Ill.: Interstate Publishers, 1962), pp. 199-209.

[18] *New York Times*, March 8, 1968.

◆

# SOURCES OF RESISTANCE TO THE USE OF OFFENDERS AND EX-OFFENDERS IN THE CORRECTIONAL PROCESS

Donald R. Cressey

There are four principal and interrelated sources of resistance to innovations in the field of corrections. These are: conflicting theories regarding efficiency of measures for maximizing the amount of conformity in the society; the social organization necessary to administering correctional programs; the characteristics and ideologies of correctional personnel; and the organization of correctional clients with respect to each other and to correctional personnel. In each case, the basis of the resistance to correctional change in general has special implications for resistance to change which would permit and encourage offenders and ex-offenders to serve as employees of correctional agencies, especially as rehabilitators.[1]

## Conflicting Penal Theories

The governing of persons who have some degree of freedom is no easy task, even in a small organization such as a family, a business firm, a university, a probation agency, or a prison. In a larger organization such as an army or a nation, it is even more difficult.

Two basic problems confront all persons who would insure that others follow rules. One is the problem of obtaining consent to be governed. Governors must somehow get the governed to agree, usually unwittingly, to the governors' definition of morality, deviance, and deficiency. In this context, at least, it is correct to say that whoever controls the definition of the situation controls the world.

The second problem is one of maintaining the consent of the governed once it has been obtained. Those who are attempting to maximize conformity must be prepared to cope with nonconformity. This means that they must constantly be seeking appropriate measures to control those members whose conduct indicates that they have withdrawn, at least partially or temporarily, their consent to be governed. In utilizing these measures, governors must not inadvertently take actions which significantly diminish the degree of consent that has been given. In child-rearing, to take a simple example, parents must not punish their disobedient children so severely that the children rebel and become even more disobedient. In crime control, governments must not take actions which alienate solid citizens. All correctional devices must be administered in such a manner that the behavior of criminals is changed but the consent of the governed is not lost. Official punishment of criminals, especially, must be exercised with caution. If punishment of criminals is to be accepted by the recipients and by citizens generally, it must be imposed "justly," in measures suitable to correcting deviation without stimulating rebellion.

The rule-making bodies of social groups seldom have a unitary ideology regarding the procedures to be used for inspiring and maintaining conformity.

---

*Dr. Cressey is professor of sociology, University of California, Santa Barbara.*

A father, for example, may at one time spank his son for violating family rules and at another time overlook known violations, all the while believing that whatever action he takes is "for the good of the child" or "for the good of the family." In a nation, comparable inconsistencies in implementing a desire for a maximum amount of conformity are found in criminal law and in correctional agencies, owing to contradictions in the penal law theory which lies behind them. Since correctional agencies are, by and large, creatures of legislative processes, one who would understand resistances to correctional innovation must understand the theory on which legislatures operate in criminal matters.

One body of theory maintains that conformity to criminal laws is maximized by swift, certain, and uniform punishment of those who deviate. The "Classical School" of criminology which developed in England during the last half of the eighteenth century and spread to other European countries and to the United States, popularized this notion. The objective of the leaders of this school was to provide advance notice that crime would have punishment as its consequence and to make the imposition of punishments less severe and less capricious than it had been.[2]

According to the ideology popularized by these men, all persons who violate a specific law should receive identical punishments regardless of age, sanity, social position, or other conditions or circumstances. The underlying principle of behavioral and social control developed here is the idea of deterrence. By means of a rational, closely calculated system of justice, including uniform, swift, and certain imposition of the punishments set by legislatures for each offense, the undesirability and impropriety of certain behavior is emphasized to such a degree that it simply does not occur to people to engage in such behavior.

Although this set of theory is not now—and never was—used in its pure form, it is one of the pillars of our contemporary system of corrections. This becomes apparent whenever legislators demand a harsher penalty for some offense, whenever the very existence of probation and parole systems is attacked, and wherever correctional leaders are castigated for trying to introduce changes based on the view that offenders are in need of help. All developed societies maintain a powerful legal organization for corporate imposition of measured amounts of suffering on offenders. By acting collectively to take revenge on criminals, society is said to reinforce its anti-criminal values. In this setting, the notion that criminals themselves should be used as correctional agents is especially vulnerable because it implies that a criminal deserving of punishment will be utilized to mitigate the punishments deserved by other offenders.

A second body of theory is based on the belief that law violations and law violators must be handled individually so far as punishment is concerned. The extreme idea of equality promoted by the Classical School was almost immediately modified at two points. First, children and "lunatics" were exempted from punishment on the ground that they are unable to calculate pleasures and pains intelligently. Second, the penalties were fixed within narrow limits, rather than absolutely, so that a small amount of judicial discretion was possible. These modifications of the classical doctrine were the essence of what came to be called the "Neo-Classical School." The principle behind the modification remains as another of the pillars of our contemporary system for administering criminal justice. The basic idea was, and is, that the entire set of circumstances of the offense and the entire character of the offender are to be taken into account when deciding what the punishment, if any, shall be. "Individualization" of punishment has extended the principle of exemptions to persons other than children and the insane, and this means, of course, that judicial discretion is to be exercised officially.[3]

Our basic conceptions of justice are closely allied with these two contradictory sets of penal theory. These conceptions of justice, intermingled with the two sets of theory, have taken the form of ideologies regarding the "proper" measures to be used for securing and maintaining the consent of the people to be governed by the formulators and administrators of the criminal law. When implemented, the ideologies become directives for action on the part of correctional personnel. But since both the ideologies and the theories behind them are contradictory, we cannot logically expect correctional workers to be consistent in their methods of dealing with lawbreakers and potential lawbreakers. Correctional workers are called upon to play a game they cannot win. They are to ensure that punishments are uniformly imposed on those who violate the law. We are confident that this action will maximize the amount of conformity in the society. But they also are to adjust the punishments to individual cases, thus ensuring that punishments are neither so lenient nor so severe that the degree of conformity will diminish.

The first set of theory implies that, if the price of crime is low, everyone will buy it. Legislatures state, symbolically at least, that crime and criminals must be abhorred or the crime rates will rise. Attempts to handle criminals as if they have basic human rights are therefore resisted. Handling them as if they were capable of serving as correctional workers compounds the resistance. But correctional workers also are to ensure that the price of a crime is not so high that exacting it will result in loss of control of offenders and others. When punishments are too severe or otherwise unjust, citizens may not openly demonstrate their withdrawal of consent. But in a pattern of passive resistance they may well shield criminals from the law enforcement process. Even if they do not commit crimes, they may learn to overlook crimes, with the result that the law's effectiveness in maximizing conformity diminishes.

We assign to each correctional worker the difficult task of striking the delicate balance between leniency and severity of punishments, and between imposing punishments uniformly and imposing them irregularly. This delicate task, it may be argued, cannot be assigned to criminals or ex-criminals because their prior experiences have made them incapable of being disinterested. Traditionally, any grouping of criminals or ex-criminals has been viewed as undesirable, on both custodial and rehabilitative grounds. Association among prisoners meant, and still means, a banding together of dangerous men who could plot for some nefarious purposes. To avoid such association, prison workers have, by and large, substituted psychological solitary confinement for the physical solitary confinement characterizing the early Pennsylvania institutions.[4] In probation and parole, it has from the beginning been against the rules for offenders to associate with each other, partly because it was feared that any association would lead to criminal conspiracies, thereby decreasing the security of the society. It also was assumed that, if offenders were allowed to associate, the more criminalistic of them might contaminate the less criminalistic. The question of why the reverse would not be true has rarely been raised.[5]

In recent times we have, in addition, asked correctional personnel to "treat" criminals. To the degree that treatment is an alternative to punishment, not a supplement to it, its introduction into the correctional process is an attempt to mitigate penalties with a view to maximizing the degree of consent of the governed and thus the amount of conformity. Probation, prison, and parole workers are expected to execute the penalties "prescribed by law" so that offenders and others will learn that they cannot get away with law violation, thus increasing the amount of conformity. But correctional workers also are expected to modify those penalties so that offenders will be "treated" and the amount of conformity thereby increased. Introduction of treatment programs is resisted because they mitigate prescribed penalties. At the same time, correctional workers are accused of inefficiency if criminals are not rehabilitated.

## Social Organization of Correctional Work

Because our society and its penal law theories have been ambivalent about what should be done with, to, and for criminals, it is not surprising to find that correctional work has been, almost from the beginning, characterized by ambivalent values, conflicting goals and norms, and contradictory ideologies. However, such a state of flux is not necessarily an impediment to correctional innovation. Viewed from one perspective, a state of disorganization or unorganization provides unusual opportunities for innovation. For example, an analysis of the Soviet industrial system concluded that conflicting standards and selective enforcement of an organization's rules permits supervisors to transmit changes in their objectives to subordinates without disrupting the operation of the system; permits subordinates to take initiative, be critical, make innovations, and suggest improvements; and permits workers who are closest to the problem field (usually subordinates) to adapt their decisions to the ever-changing details of circumstances. The following comment about the last point is especially relevant to corrections:

> The very conflict among standards, which prevents the subordinate from meeting all standards at once, gives him a high degree of discretion in applying received standards to the situation with which he is faced. Maintenance of conflicting standards, in short, is a way of decentralizing decision-making.[6]

As conceptions of "the good society" have changed, conceptions of "good penology" and, more recently, "good corrections" also have changed. This has meant, by and large, that new services have been added to correctional work and new roles have been assigned to both correctional workers and their clients. Moreover, these additions have been made without much regard for the services and roles already existing. The process seems different from that accompanying similar growth of manufacturing and sales corporations, for the new roles have been organized around purposes that are only remotely related to each other. This could mean, as in the case of Soviet industry, that anything goes.

But in correctional work change has been slow and sporadic despite conflicting principles which seem to make anything possible. Ambivalence and conflict in social values and penal theories have produced correctional organizations inadvertently designed to resist change.

In the first place, a shift in correctional objectives now requires changes in the organization, not merely in the attitudes or work habits of employees. In prisons, for example, there is a line organization of custodial ranks, ranging from warden to guard, and salary differentials and descriptive titles (usually of a military nature) indicate that a chain of command exists within this hierarchy. Any prison innovation whose goals cannot be achieved by means of this hierarchy must either modify or somehow evade the organization of custodial ranks.

Positions for prison school teachers, industrial foremen, and treatment personnel are not part of the chain of command. Neither do such sets of positions make up a "staff organization," in the sense that positions for experts and advisors of various kinds make up a staff organization in a factory or political unit. The persons occupying positions outside the hierarchy of ranks in correctional systems do not provide persons in the hierarchy with specialized knowledge which will help them with custodial and management tasks, as staff personnel in factories provide specialized knowledge which assists the line organization with its task of production. In corrections, the "staff organization" actually is a set of separate organizations which competes with the line organization for resources and power. Systems of non-line positions, such as those for treatment, training, and industrial personnel, are essentially separate organizations, each with its own salary differentials and titles.

The total structure of corrections consists of three principal hierarchies—devoted respectively to *keeping, using,* and *serving criminals.* But the total system is not organized for the integration of the divergent purposes of these three separate organizations. In this situation, innovation by members of any one of the three organizations is necessarily a threat to the balance of power between them and the members of the other organizations.

Resistance to using criminals as correctional workers is to be expected because this role, in fact, is part of *none* of the three separate organizations. Further, the role is a threat to the authority structures and the communication and decision-making patterns of all of them.

Secondly, most innovations in correctional work can be introduced and implemented only if the participation, or at least the cooperation, of all employees is secured. In factories, there are separate but integrated hierarchies of management personnel and of workers, and many kinds of orders for innovation can flow freely downward from management offices to factory floors. For example, if the manager of an aircraft factory decides to innovate by manufacturing boats instead of airplanes, a turret-lathe operator can readily accept the order to change the set-up of his machine in such a way that part of a boat is manufactured.

But in correctional work, management is an end, not a means. Accordingly, management hierarchies extend down to the lowest level of employee. The correctional worker, in other words, is both a manager and a worker. He is managed in a system of controls and regulations from above, but he also manages the inmates, probationers, or parolees in his charge. He is a low-status worker in interaction with his warden, chief, or director, but he is a manager in his relationships with inmates or other clients. Because he is a manager, he cannot be ordered to accept a proposed innovation, as a turret-lathe operator can be ordered. He can only be persuaded to do so.

Criminals or ex-criminals serving as correctional workers, even if unpaid, must be given the management responsibilities assigned to all correctional workers. Addition of this role to a correctional organization is subject to a kind of veto by any of the correctional workers in the organization, for each plays a management role.

But even though all correctional employees are managers as well as workers, the agencies and institutions which they manage are not owned by them. Each correctional agency has a number of absentee owners, and these owners have varying conceptions about policy, program, and management procedures. If they were questioned, it is probable that each would have a distinct opinion about using criminals and ex-criminals in correctional work. Because of differences in theoretical conceptions in the broader society, the contemporary environment of correctional agencies contains overlapping groups with interests in seeing that physical punishments are imposed, groups with interests in reducing physical punishments, and groups with varying ideas for implementing the notion that criminals can be reformed only if they are provided with positive, non-punitive treatment services. The interests of such groups converge on any particular correctional agency, and the means used by correctional administrators for handling their contradictory directives gives correctional agencies their organizational character.[7]

We have seen that, to some degree, resistance to correctional innovation resides in the internal order of the system, especially in the structure requiring that all employees and some clients share policy. But, to an even greater degree, resistance resides in the network of competing or cooperating interest groups, which vary from time to time. Caplow has pointed out that we should expect to find the strictest control of even *non*-occupational behavior attached to those occupations which have important role-setting obligations in the society, are identified with sacred symbols, and have relatively low status.[8] Correctional work qualifies on all three criteria. Factionalism among employees which develops whenever a significant change is made in the work of a correctional agency, is closely linked with changing interests of authorities external to the agency.

Correctional agencies are in a very real sense "owned" not by "the public" at large but by specific outside groups. Punitive, custodial, and surveillance activities are supported and maintained by a different convergence of interests than are production activities, educational activities, religious activities, and counseling and therapeutic activities.

One type of interest group emerges when an existing group sees existing or possible activities of the correctional program as a means for achieving its own objectives.[9] For example, inmate leaders sometimes operate as an interest group and press for control over routine decisions because such control gives them additional power to exact recognition and conformity from other inmates. Political leaders become an interest group when they see a parole agency as a resource for discharging political obligations, and they demand that the agency be so organized that the skills of political appointees, not experts, can be used. Church groups sometimes band together to support or oppose a correctional program on moral grounds. Because there is a strong belief in our society that "doing a good job" is a reward in itself and that laziness and lack of "self-discipline" are sinful, such groups tend to support custody, work programs, and training rather than "treatment." Prison guards become an interest group when they perceive that prison discipline for inmates is becoming so relaxed that the guards might be in danger.

Another type of interest group is directly concerned with preventing innovations which threaten its existing activities or plans. Police often constitute an interest group of this kind. They, even more than correctional workers, are charged with keeping the crime rate low, and they tend to oppose any correctional change which might reduce the degree of custody and surveillance. Similarly, social welfare groups and educational groups oppose any correctional changes which threaten to upset treatment and training routines; industrial groups oppose any organization of employment or employment services which will compete with them; and labor groups oppose any innovation which might reduce the number of jobs for non-criminals.

Other interest groups exist as such because they are obligated to groups directly involved in correctional activities. A group interested in family welfare, for example, may side with prisoners' aid societies and put pressure on correctional administrators by means of speeches, newspaper publicity, and endorsements. In response, still other groups side with correctional interest groups organized around different values. The innovation or lack of innovation which is the issue in conflict may be lost in the political dispute between the various coalitions.

In this situation, effective action on the part of a correctional administrator depends upon realistic assessment of the power possessed by interest groups. When he makes a commitment to any given group or to any coalition of groups, his freedom of action is henceforth limited. If, at the same time, he decides not to commit himself to other groups or coalitions, his freedom to introduce innovations is limited even more. He is able to make some innovative moves because the mandates given by correctional interest groups ordinarily are stated in broad terms and consequently have broad tolerance limits. For example, the directives coming from interest groups usually specify objectives but ordinarily do not spell out in great detail the means to be used for achieving them. Accordingly, the correctional administrator can "compromise" by adjusting in minor ways the networks of interest groups which differ in significant respects from each other.

The conservatism of corrections is in part a reflection of the necessity for caution in making such compromises. As power and influence are redistributed in the network of interest groups, new forms of correctional activities emerge. These become routinized as a new compromise, a new balance of interests. Such routinized activities, then, are at any given moment what Ohlin has called "the crystalized solutions of the problematic or crisis situation from which they emerged."[10] Correctional personnel at all levels participate in routinized activities and in that way are allied with correctional interest groups, whether they know it or not. This is the situation in which all employees share policy-making functions with management, making innovation extremely difficult.

If he is skillful, and if his organization is big enough, the correctional administrator can segregate his audiences by giving one part of his organization to one interest group while giving another part to a group with conflicting interests. For example, an interest group made up of social workers might be maneuvered so that it concentrates its concern on the boys' school or on correctional work with children generally, while an interest group composed of law enforcement personnel might have its interests reflected in one prison. Even one entire unit of a correctional agency, such as a prison or a parole unit, may be given to interests supporting a welfare and treatment policy, while another unit is given to interests supporting a punitive and surveillance policy. But the specialization of correctional units should not be overemphasized. Every unit reflects the interests of many different groups, making change difficult.

It is significant, however, that no important interest group has been pressuring for the use of correctional clients as rehabilitation agents. On the contrary, the moral and almost sacred character of correctional work encourages existing interest groups to oppose such an innovation. Any innovations proposed by correctional workers are subject to veto by some of the influential owners of the agencies employing them.

## Conservatism of Correctional Personnel

Perhaps it is ambivalence and conflict in penal theory, together with a complex structure of correctional organizations, that underlies the most striking attitude among correctional workers—an attitude of "standing by." The ambivalence in theory has permitted various interest groups collectively to establish organizational structures which are extraordinarily difficult to change. But interest groups often can be pacified by external appearances and a display of organizational charts, and perhaps it is for this reason that internal pressure for significant innovation rarely occurs.

There certainly is variation from state to state and from agency to agency, but if one looks at correctional workers as a whole he sees among them very little concern for the design of innovations which would put real rehabilitative processes into the "treatment" organizations of prisons and probation-parole agencies. These structures were created some years ago in response to pressures from interest groups. As indicated, however, the mandates given correctional administrators by interest groups tend to be stated in broad terms. Consequently the mere creation of "treatment" organizations within correctional institutions and agencies pacified some of the groups pushing treatment as a correctional objective. By and large, groups pressuring for "treatment" of criminals have left invention of the processes for administering "treatment" up to the correctional workers themselves, and correctional workers have not been innovative. Rather than experimenting with techniques based on rehabilitation or treatment principles specifically related to corrections, they have used processes vaguely based on general psychiatric theory. The resistance to innovation here has been more in the form of indifference than in the form of planned conservativism. There are two simple kinds of evidence that this kind of resistance is present in corrections.

First, the establishment of "treatment" organizations has permitted workers to engage in "treatment services" without ever defining them. It is extraordinarily difficult to define and identify "rehabilitation techniques" and even more difficult to measure the effectiveness of such techniques.[11] The objective of "treatment" programs in corrections is to change probationers, prisoners, and parolees so that they will no longer be law-breakers. Yet, so far as I know, no correctional worker has ever been fired because so few of his clients have reformed. Perhaps this indifference to employee efficiency arises because a scientific technique for modification of attitudes has yet to be stated and implemented. Instead of precise descriptions of techniques for changing attitudes, the correctional literature contains statements indicating that rehabilitation is to be induced "through friendly admonition and encouragement," "by relieving emotional tension," "by stimulating the probationer's self-respect and ambition," "by establishing a professional relationship with him," "by encouraging him to have insight into the basis of his maladjustment," etc. We need to know—but we do not know—how these things are accomplished and, more significantly, how, or whether, they work to rehabilitate criminals.

Two practicing correctional workers who turned textbook writers have commented:

> Stripped to their essentials, these "instructions" boil down to exhortations to treat, to befriend, and to encourage. In effect, our treatment personnel are often told little more than to *go out there and rehabilitate somehow* — precisely how is not indicated. A military commander who confined his strategic orders to the commands, "Be brave, be careful, and be victorious" would be laughed out of uniform. Often, however, the technical directions given to correctional workers are scarcely more specific.[12]

Because treatment structures have been introduced in defiance of interest groups demanding that corrections be organized for punishment, custody, and surveillance, there has been a tendency on the part of correctional workers to define "treatment" negatively. Rather than identifying what treatment is, they have been content to assert what it is not: Any method of dealing with offenders that involves purposive infliction of pain and suffering, including psychological restrictions, is not treatment. This premise obviously must create strain in a total correctional organization that is expected to be restrictive and punitive. In the processes designed to implement it, there seems to be a mixture of social work and psychiatric theory, humanitarianism, and ethics of the middle class.[13]

Second, because correctional administrators must justify all aspects of their total organization to one interest group or another, the research undertaken by research bureaus located in correctional agencies tends to be somewhat programmatic, rather than the kind that provides the basis for real change in the techniques used to change criminals. For example, research in California indicated that if parole caseloads are reduced to 15 and parolees are accorded "intensive supervision" during the first 90 days after release and then transferred to the normal 90-man caseloads for regular supervision, only slight reductions in parole violation rates occur.[14] But no one knows *why* this experiment, like others, turned out the way it did, principally because no ones knows what, specifically, was involved in "intensive supervision" or "intensive treatment" that is not included when the procedure is not "intensive." The experiment seemingly was introduced as much to reduce caseloads as to determine whether a correctional innovation were effective.

Correctional workers should not be blamed or attacked for what appears to be a lack of progress in developing basic principles on which to build sound correctional practice. The condition seems to be rooted in the very nature of the occupation, so that it is not easily changed. At least an attitude of "standing by" seems to be rooted in correctional work in a way that experimental and innovative attitudes are not. Four principal conditions seem to be associated with this conservatism: humanitarianism, poor advertising, bureaucracy, and professionalization.

### Humanitarianism as "Treatment"

One of the principal handicaps to developing and utilizing new rehabilitation techniques in modern corrections arises from the fact that we introduced and continued to justify humane handling of criminals on the ground that such humanitarianism is "treatment." One significant consequence is a confusion of humanitarianism and treatment. In speaking of prisons, for example, we now are likely to contrast the "barbaric" conditions of the eighteenth century with the enlightened "treatment methods" of our time, especially in California. Yet we do this knowing that an insignificant proportion of all persons employed in American prisons are directly concerned with administration of treatment or training. We do not know what percentage of probation and parole workers is engaged in treatment and training, and what percentage is engaged in mere surveillance. Neither do we know what percentage of an individual worker's time is devoted to each of these activities. We are inclined to say that *all* probation and parole workers are engaged in treatment and that *all* of a worker's time is devoted to this end.

On what do we base this notion that holds, essentially, that probation and parole are, by themselves, treatment? Perhaps we base it on a logic that goes something like this: Humanitarianism is treatment. Parole is humanitarian. Therefore, parole is treatment. Thus, when we say that criminals are being "treated," we mean something like "They are being treated well," *i.e.*, handled humanely. It has been shown that, in prisons, a pattern of indulgence among employees is itself considered "treatment" by professional personnel serving as administrators.[15]

Correctional workers are increasingly being asked to show the effects of "treatment," but they can produce little evidence of efficiency because much of what has been called "treatment" is merely humanitarianism. Budgets for "treatment" have been doubled in some states, but the recidivism rate has remained constant. Over the years, punitive measures, custodial routines, and surveillance measures were relaxed on the ground that such humanitarian relaxation is treatment. Now it is becoming necessary to try to show why this "treatment" has not been more effective. Occasionally someone argues, usually in connection with a budget request, that no treatment principles have been invented and that, therefore, treatment has never been tried. More often, it is indirectly argued that humanitarianism disguised as treatment has not worked because "inhumane" persons and policies in corrections and in society have opposed it. It would appear that correctional leaders have been so busy defending humanitarianism, on the ground that it is treatment, that they have not had time to develop treatment principles and practices. For that matter, they have little time to study the possibilities of applying principles developed by outside psychologists and sociologists.

### Poor Advertising

The second condition associated with conservatism in correctional theory and practice, poor advertising, is closely related to the first. Humanitarians have left to correctional agencies themselves both the problem of justifying humanitarianism on the ground that it is treatment, and the problem of implementing that humanitarianism. But correctional workers are by their very nature poor propagandists for the humanitarian view, even if it is called "treatment." Correctional agencies are political units whose budgets and activities are, in the last analysis, controlled by politicians. And most politicians who want to continue being politicians must be opposed to crime as well as to sin and man-eating sharks. It simply is not expedient for a governmental worker to advocate being "soft" on criminals, even if he thinks he can show that being "soft" is somehow more efficient than not being "soft."[16] Police and prosecuting attorneys are excellently organized for promotion of the view that criminals should be dealt with harshly, but correctional workers are not, and probably cannot be, as efficiently organized for the humanitarian point of view.

### Bureaucracy and Housekeeping

The third condition associated with the conservatism about theory and practice in correctional work is the bureaucratic organization necessary to the continuation of correctional agencies themselves. In the "good old days" of corrections, the probation-parole worker, at least, was somewhat of an individualist who played it by ear. Some of these workers got a variety of wild ideas about rehabilitation from a variety of sources and then tried them out on specific probationers and parolees. Most of the ideas did not work, but some of them seemed to be effective, and a few of those that seemed effective changed the course of correctional work.

This style of individualism is rapidly disappearing, especially in large agencies located in urban areas. Instead of rather independent workers who are trying out wild ideas, we have men who are not allowed to go into the field until they have proved to a training officer their ability to recite and adhere to agency policy, who are given "professional supervision" so they will not deviate from that policy, who are the recipients of newsletters that tell them what the "team" is up to, and who are expected to be familiar with the standard operating procedure set forth in manuals written in the home office for the guidance of men in the field. Like prison guards in the olden days, probation-parole workers are becoming strapped down by bureaucracy.

There is no reason to believe that the bureaucratization of correctional work should involve processes different from the processes of bureaucratization elsewhere.[17] One effect of bureaucratization is conservatism and routinization. On a simple level, the work done by employees must be performed within the framework of an 8-hour day and a 40-hour week, and this means that it must, by and large, be performed at a special work station. On a more complex level, it may be observed that in a bureaucracy there are bureaucrats, and a bureaucrat is primarily concerned with housekeeping. It is for this reason that one keen observer of the American scene calls bureaucrats "women in men's clothing." The male principle, he argues, is that of wasteful and reckless experimentation, risk, and creation. The female principle is that of compromise, conservation, monopoly, complacency, and "results."[18] In correctional work, it appears, we have become housekeepers rather than reckless experimenters. Perhaps this is in part why outsiders are likely to view correctional workers as "weak sisters" and "old women."

Experimentation and innovation have traditionally involved individualistic processes quite different in nature from bureaucratic administrative processes. In fact, some of the most significant inventions made in the last two centuries were made by men who did not have the qualifications for making them. That is, these innovators were individualistic and creative, but not formally trained for or employed in the area of science or technology where their discoveries were made. The inventor of the cotton gin was an unemployed school teacher, the inventor of the steamship was a jeweler, the inventor of probation was a shoemaker, and the inventor of conditional release and parole was a sailor. Innovators and experimenters are not necessarily good "team men." A famous chemist, Cavendish, had an immense dislike of people, and he dismissed any maid working in his house if he so much as laid eyes on her. Darwin, who had no formal scientific training, withdrew to a country house and had very little association with professional colleagues or anyone else.

In correctional agencies that have grown to the point where professionalism and concordant bureaucracy have appeared, individual innovation, experimentation, and attempted implementation of wild ideas must necessarily be controlled. If this is not done, organizational routines might be embarrassingly upset. One control procedure is creation of a "research team," a "research division," or a "planning and development section," which is to contain the experimenters. This custom can block innovation, for the larger the team, the more difficult it is to get concurrence that radically new concepts are worth risking the team's reputation on. After all, if the new plan goes sour, is attacked, ridiculed, and deprecated, the time and energy of all the team members, not just one crackpot, are brought into question. In corrections, a research team is not necessarily conducive to development of radically new procedures, such as using offenders and ex-offenders as correctional workers. Someone has said that sociology has been characterized by a retreat into methodology, meaning that sociologists have refused to take stands on social issues and have instead increasingly been concerned with the methods by which they arrive at conclusions. By the same kind of reasoning, we can observe that correctional innovation might be starting to experience an analogous type of retreat — a retreat into research.

### Profession vs. Occupation

The fourth condition associated with conservatism among correctional workers is professionalization. Because professional personnel such as social workers, psychologists, and psychiatrists have constituted an interest group pressuring for "treatment" in corrections, it is somewhat paradoxical to observe that strong resistance to further change is characteristic of this group. There is no doubt that professional personnel have been instrumental in diminishing the punishment-custody-surveillance aspects of corrections, largely in the name of "treatment." However, the same personnel tend to be conservative with reference to changes in professional practices themselves. "Professionalization" implies standardization of practice, with the result that the kind of bureaucratization just discussed is perhaps more characteristic of professional personnel than anyone else in corrections.

Among the characteristics of a profession is monopolization of specialized knowledge, including theory and skills.[19] When an occupation is professionalized, access to its specialized knowledge is restricted, definition of the content of the knowledge is uniform, and determination of whether a specific person possesses the knowledge is determinable by examination. Further, professional personnel ordinarily establish formal associations, with definite membership criteria based on possession of the specialized knowledge and specifically aimed at excluding "technically unqualified" personnel. The name selected by the association generally is unusual enough so that not just anyone can use it, again indicating a monopoly on a piece of theory and a set of skills. If the profession has developed a code of ethics, as professions eventually do, the code consists of a number of interrelated propositions which assert the occupation's devotion to public welfare and, more important to conservatism, stipulate standards of practice and standards for admission. Neither practitioners nor trainees can be allowed to "go it alone" in such a way that new or different standards are developed. They must learn the established code and behave according to the standards it implies. They must, in other words, accept the professional culture. In most instances, professions make their conservatism legal by gaining legislation which limits practice to those who have passed a state-administered examination or who are certified by the state upon completion of a specialized course of study, usually in a university. Often it is a crime for uncertified persons to perform the acts reserved to members of the profession. Concurrently, practices such as the privilege of confidentiality might be reserved for professionals.

In correctional work, these characteristics of professionalization are especially relevant to the proposition that correctional clients themselves should be used as workers and managers of the rehabilitation process. "Professionalization" of correctional work has stressed monopolization of knowledge of "treatment," "rehabilitation" or "reformation" processes, not of knowledge about custody, management, surveillance, and repression. Accordingly, "professionalization" has come to stand for the ideology of "professional personnel" such as psychologists, psychiatrists, and social workers.

The proposal that clients be used as correctional rehabilitators boldly asserts that persons characterized by professional correctional personnel as "laymen" or "subprofessional workers" can achieve what professionals say can be achieved only after years of specialized training. After having participated in a half-dozen or more years of pre-professional and professional training and after having worked his way up in a hierarchy of occupational and professional ranks, the professional in corrections is likely to take a dim view of any suggestion that what he is doing could be done as efficiently (or perhaps more efficiently) by a person without his training and experience.

Moreover, "professionalization" implies that personnel will *not* engage in certain practices, just as it implies that certain practices are reserved to an elite group of personnel. Status as a professional person implies a position of high rank involving little or no dirty work. An admiral does not expect to chip paint, and a doctor does not expect to carry bedpans. As nursing has become professionalized in recent years, nurses do not expect to carry bedpans either. And as social work has become professionalized, social workers do not expect to carry baskets of food to the poor. Such activities are "unprofessional." In correctional work, innovations which would require the professionals to perform the equivalent of chipping paint, carrying bedpans, and carrying baskets of food to the poor are bound to be resisted by the professionals. Yet since World War II almost everyone working in the field of rehabilitation has argued that involvement in this kind of work, especially in "milieu therapy," is essential to rehabilitation.

It also should be noted that correctional administrative positions are increasingly being assigned to professional personnel. When this is the case, an administrator's income and status often depend upon his ability to maintain professional practices which over the years have been defined as "standard" and "good." One who is the director of a correctional rehabilitation program or crime prevention program does more than try to rehabilitate criminals or prevent crime. He administers an organization that provides employment for its members, and he confers status on these members as well as on himself. In other words, personal and organizational needs supplement the societal needs being met by administration and utilization of various correctional techniques. The personal and organizational needs are met by correctional institutions, agencies, and programs. By utilizing or advocating use of "professional methods" in correctional work, a person may secure employment and income, a good professional reputation, scholarly authority, prestige as an intellectual, the power stemming from being the champion of a popular cause, and many other personal rewards. An agency organized around administration of "professional methods" may fill such needs for dozens, even hundreds, of employees.

Because of personal and organizational investments, personnel dedicated to rehabilitating criminals are likely to maintain that criminality is reduced by whatever it is they are doing. Vague statistical measures of efficiency are valuable and useful because they decrease the range of points on which disagreements and direct challenges can occur.[20] Yet any suggestion for radical change is an implicit or explicit criticism, and it therefore is helpful if the efficiency question can be avoided by announcing that the proposed change would introduce procedures that are "substandard" or "unprofessional."

More specifically, acquisition and preservation of the knowledge and ethics of the social work profession is becoming an essential characteristic of what we are beginning to call "the corrections profession" and "the professional correctional worker." Education for the corrections profession has been considered the province of schools of social work. The assumption generally has been that students being educated for participation in the social work profession are, at the same time, being educated for the corrections profession. This means that students of social work cannot be given specialized knowledge and skills which are peculiar to correctional work but which are, at the same time, inconsistent with the ideology, theory, and standards of social work. Further, it is commonly but erroneously assumed that correctional work is so desirable that we can afford to require larger and larger proportions of all correctional personnel to have social work degrees, as we have been doing in recent years.

The individualistic theory of rehabilitation promulgated by social workers and other psychiatrically oriented personnel implies that until one has had at least six years of university training he is not qualified to try to rehabilitate a criminal. Since a highly educated staff has been considered a good staff, more highly educated personnel are sought. But this trend toward professionalization blinds professionals and non-professionals alike to innovations which would involve a lowering of educational standards for correctional workers. Use of offenders as correctional workers is resisted because, considered from the traditional viewpoint, such personnel do not possess indispensable social work skills.

## Offenders' Resistance to Innovation

Correctional clients are notoriously resistant to correctional innovations which would change them to significant degrees. In the first place, they usually have good reasons for not trusting the personnel paid to implement any rehabilitation program. It is a fact that some procedures used in the administration of criminal justice are based on the theory that society must be hostile toward criminals in order to emphasize the undesirability of nonconformity. Criminals are committed to the care of correctional agencies against their will, and no amount of sugar-coating hides from them the fact that the first duty of correctional personnel is to protect society from criminals, not to rehabilitate individual criminals. Criminals often find it difficult to distinguish between correctional procedures designed to punish them and correctional procedures designed to help them.

Similarly, they are not at all confident that correctional personnel ostensibly engaged to help them are not actually engaged to assist in punishing them and keeping them under control. They note, for example, that in most prisons the treatment and rehabilitation specialists are subordinate to officials who emphasize the necessity for maintaining order, even if maintaining order interferes with treatment practices. They know that the prison psychiatrist or social worker might have the task of stopping "rumbles" and "cooling out" threatening inmates, rather than rehabilitating criminals. They know that revocation of probation or parole depends as much on the attitudes of the probation-parole officer as on the behavior of the client. Further, they know that the pressures put on them to reform or become rehabilitated have as much to do with the good of "society" or the good of middle-class property-owners as they have to do with the good of the individual criminal himself. Most criminals have very little confidence that the immense amount of data collected on them will be used for their benefit. As a sophisticated ex-convict has written, "The prisoner's need to live and the system's attempt to live for him (and off him) can never be reconciled."[21] In current correctional circumstances, clients have a minimal sense of obligation to the personnel controlling their fate. If, as McCorkle and Korn argued some years ago, criminals are intent on rejecting their rejector,[22] correctional programs will succeed only if the degree of rejection by society is diminished.

Second, neither criminals nor ex-criminals are convinced that they need either existing correctional programs or any program which might be invented in the future. They cooperate with correctional workers, not in order to facilitate their own reformation but in order to secure release from surveillance as quickly as possible and as unscathed as possible. Prisoners, for example, participate in group therapy, group counseling, and individual "intensive treatment" programs as much from a belief that doing so will impress the parole board as from a conviction that they, as individuals, need to change.

Once a criminal has gone through the impersonal procedures necessary to processing him as a law violator, about all he has left in the world is his "self." No matter what that self may be, he takes elaborate steps to protect it, to guard it, to maintain it. If it should be taken away from him, even in the name of rehabilitation or treatment, he will have lost everything. Old-fashioned punishment-custody-surveillance procedures were designed to exterminate each criminal's self. New-fangled correctional programs are designed to do the same thing. Although many criminals, especially inmates, favor "rehabilitation," strong resistance occurs when the rehabilitation technique hints at "brain-washing" or any other procedure which would change the essence of "what I am." A pill or an injection which would change a criminal into a non-criminal without changing the rest of him probably would be accepted with enthusiasm by most criminals. But attempts to change criminals into non-criminals by significantly changing their personalities or life styles threaten to take away all they have left in the world.

Third, probationers, parolees, and even ex-offenders are not likely to become very excited about any program which expects them to look upon the task of rehabilitating themselves as a full-time job. Taking a pill or an injection would be so much easier. Criminals, like others, have been taught that efforts at rehabilitation involve "technical," "professional," or even medical work on the part of a high-status employee, not hard work on the part of the person to be reformed. Moreover, for most criminals crime has been at most a moonlighting occupation or a brief, temporary engagement, and it follows that any personal involvement in their own rehabilitation also should be a part-time affair. Charles Slack demonstrated that it helps if delinquents are paid to perform duties believed by the experimenter to be rehabilitative.[23] But some criminals would resist even if they were offered training for full-time paid employment as people-changers. The market for their skills is vague. Further, delinquents and criminals commonly assume, perhaps correctly, that rehabilitators play a feminine, sissy role. Finally, many criminals and ex-criminals fear that even if they accepted employment as correctional workers they would find the work dull and boring, as some non-offenders do.

Fourth, a special kind of resistance to rehabilitation attempts is encountered in prisons, where inmates are in close interaction and have developed their own norms, rules, and belief systems. Wheeler has shown that inmate attitudes are not as opposed to staff norms as even inmates believe.[24] Nevertheless, for most prisoners, adjustment means attachment to, or at least acceptance by, the inmate group. Moreover, an inmate participating in a rehabilitation program, no matter what its character, is likely to be viewed as a nut, as a traitor, or as both. Strong resistance will be encountered when efforts to change individual criminals would, if successful, have the result of making them deviate from the norms of their membership groups and reference groups.[25] Even among probationers and parolees there is likely to be attachment to the values and beliefs of persons participating in what Irwin and Cressy have described as the "thief subculture," because this subculture stresses norms of "real men" and "right guys."[26]

It should be noted further that even when correctional programs are organized so as to make socially acceptable groups available to offenders, members of socially acceptable groups including some correctional workers are not always ready to accept socially unacceptable offenders. When criminals and ex-criminals do band together to form anti-crime societies such as Synanon, they usually are shocked and then discouraged by finding that few persons, especially professional correctional workers, share their enthusiasm for their "cause."

Fifth, the special handling of some criminals is resisted by other criminals because the special handling is viewed as unfair. Criminals, perhaps more than other citizens, are concerned with justice, and one conception of justice views "special treatment" as unjust "special privilege" or "special favor." In prisons, especially, the punitive-custodial-administrative view is that all prisoners are equal and equally deserving of any "special privileges." They are not, of course. But when treatment criteria cannot be understood, handling inmates as special cases is likely to be interpreted to mean that the inmates in question are being given special privileges with reference to restrictive punishment. A prisoner who is released from prison because he has become "adjusted" or "rehabilitated" is not, from a treatment point of view, being granted a special privilege. But as he is being discharged for treatment reasons, he also is being released from the restrictions deliberately and punitively imposed on him. Accordingly, the discharge is likely to be viewed as a "reward" for good behavior. If, in the eyes of other inmates, the prisoner being discharged is no more deserving of release from punishment than they are, then the discharge is considered unjust special privilege. Similarly, an inmate who is a bad actor in prison might be assigned to what inmates regard as a "good job" as therapy for his misconduct. Because it is often assumed that an inmate will begin to behave responsibly if he is given a position of responsibility, he might even be given a job as a correctional worker. But this therapeutic manipulation of the individual's environment might be viewed by inmates as an unjust reward for misconduct.

If this attitude were held by many inmates it would be a serious threat to institutional security. Inmates might rebel in response to the "injustice" of "special privilege." Or, on the other hand, they might start misbehaving so as to win for themselves a similar "reward." Were "inmate need" the sole criterion used for distributing goods in short supply, then inmate cooperation in meeting institutional needs would be minimal.

Treatment programs which would create such problems, or which threaten to create such problems, are roundly resisted by administrators and inmate leaders alike. The same thing is true in correctional work with probationers and parolees, but perception of special handling as unjust is limited because these clients are not in close association with each other. In prisons, the basic interpersonal relationship among inmates is one of dominance and subordination. This relationship is the foundation on which peace and order are maintained. But, as McCleery has shown, both the relationship of dominance and subordination and the social order supported by it depend upon an official policy of treating all inmates as equals.[27] If the dominant inmates' demands for equality among all inmates were not met, the whole inmate social structure might be upset every time a busload of new inmates arrived.

In other words, peace in prisons depends upon a system in which inmates, not officials, allocate status symbols and special privileges. Any rehabilitation program which would require officials to allocate these symbols and privileges is likely to be viewed as unjust and therefore to be resisted.

## References

[1] The theory regarding the efficacy of using criminal groups as media of change and targets of change has been spelled out in a series of articles over a period of almost 15 years, and this theoretical discussion will not be repeated here. See the following articles by Donald R. Cressey: "Contradictory Theories in Correctional Group Therapy Programs," *Federal Probation,* XVIII (1954), 20-26; "Changing Criminals: The Application of the Theory of Differential Association," *American Journal of Sociology,* LXI (1955), 116-120; "Social Psychological Theory for Using Deviants to Control Deviation" in *Experiment in Cultural Expansion: Proceedings of a Conference on the Use of Products of a Social Problem in Coping with the Problem.* (Sacramento: California Department of Corrections, 1964), pp. 139-152; "Social Psychological Foundations for Using Criminals in the Rehabilitation of Criminals," *Journal of Research in Crime and Delinquency,* II (1965), 49-59. See also Rita Volkman and Donald R. Cressey, "Differential Association and the Rehabilitation of Drug Addicts," *American Journal of Sociology,* LXIX (1963), 129-142; and Donald R. Cressey and Edwin H. Sutherland, *Principles of Criminology* (7th ed., Philadelphia: Lippincott, 1966), pp. 378-380, 548-557, 675-680.

[2] See Leon Radzinowicz, *A History of the English Criminal Law and Its Administration from* 1750, I (New York: Macmillan, 1948), pp. 268-449.

[3] We cannot here discuss the arguments of the "Positive School" of criminology whose leaders in the nineteenth century popularized individualization by denying individual responsibility and advocating an essentially non-punitive reaction to crime and criminality. See George B. Vold, *Theoretical Criminology* (New York: Oxford University Press, 1958), pp. 27-40; and Cressey and Sutherland, *op .cit.*, pp. 56-58, 313, 354-355, 683-684. The idea of individualization had elements of novelty in its formulation, but Cohen has pointed out that to a considerable degree "it was but a reassertion of the old idea of equity (*epieikia*) as the correction of the undue rigor of the law, a corrective to the injustice which results from the fact that the abstract rule cannot take into account all the specific circumstances that are relevant to the case. It assumes its simplest and oldest form in the pardoning power. . . . Some religions, indeed, make God's forgiveness His most glorious attribute." Morris R. Cohen, *Reason and Law* (Glencoe, Ill.: Free Press, 1950), p. 53.

[4] See Donald R. Cressey, "Prison Organization" in James G. March, ed., *Handbook of Organizations* (New York: Rand-McNally, 1965), pp. 1023-1070.

[5] See George H. Grosser, "External Setting and Internal Relations of the Prison" in Richard A. Cloward and others, *Theoretical Studies in Social Organization of the Prison* (New York: Social Science Research Council, 1960), pp. 130-144.

[6] Andrew Gunder Frank, "Goal Ambiguity and Conflicting Standards: An Approach to the Study of Organizations," *Human Organization*, XVII (1958), 8-13.

[7] See Philip Selznick, *Leadership and Administration* (Evanston, Ill.: Row Peterson, 1957); and Mayer N. Zald, "The Correctional Institution for Juvenile Offenders: An Analysis of Organizational 'Character'," *Social Problems*, VIII (1960), 57-67.

[8] Theodore Caplow, *The Sociology of Work* (Minneapolis: University of Minnesota Press, 1954), p. 129.

[9] See Lloyd E. Ohlin, "Conflicting Interests in Correctional Objectives," in Cloward and others, *op. cit.*, pp. 111-129.

[10] *Ibid.*, p. 126.

[11] See Donald R. Cressey, "The Nature and Effectiveness of Correctional Techniques," *Law and Contemporary Problems*, XXIII (1958), 754-771.

[12] Richard R. Korn and Lloyd W. McCorkle, *Criminology and Penology* (New York: Henry Holt, 1959), p. 593.

[13] See Donald R. Cressey, "Limitations on Organization of Treatment in the Modern Prison," in Cloward and others, *op. cit.*, pp. 78-110.

[14] Ernest Reimer and Martin Warren, "Special Intensive Parole Unit: Relationship between Violation Rate and Initially Small Caseload," *National Probation and Parole Association Journal*, III (1957), 1-8.

[15] See Cressey, "Prison Organization," p. 1059.

[16] See Donald R. Cressey, "Professional Correctional Work and Professional Work in Correction," *National Probation and Parole Association Journal*, V (1959), 1-15.

[17] See Robert K. Merton, *Social Theory and Social Structure* (2d ed., Glencoe, Ill.: Free Press, 1957), pp. 198-199.

[18] David Cort, *Is There an American in the House?* (New York: Macmillan, 1960), pp. 175-176.

[19] See Caplow, *op. cit.*, pp. 139-140; and Cressey, "Professional Correctional Work and Professional Work in Correction," pp. 2-3.

[20] See Donald R. Cressey, "The State of Criminal Statistics," *National Probation and Parole Association Journal*, III (1957), 230-241.

[21] W. H. Kuenning, "Letter to a Penologist" in Holley Cantine and Dachine Rainer, eds., *Prison Etiquette* (Bearsville, N. Y.: Retort Press, 1959), p. 132.

[22] Lloyd W. McCorkle and Richard Korn, "Resocialization within Walls," *Annals of the American Academy of Political and Social Science*, CCXCIII (1954), 88-98.

[23] For a summary statement regarding this experiment, see Ralph Schwitzgebel, "A New Approach to Understanding Delinquency," *Federal Probation*, XXIV (1960), 31-35.

[24] Stanton H. Wheeler, "Role Conflicts in Correctional Communities" in Donald R. Cressey, ed., *The Prison: Studies in Institutional Organization and Change* (New York: Holt, Rinehart and Winston, 1961), pp. 229-259.

[25] See Harold H. Kelley and Edmund H. Volkhart, "The Resistance to Change of Group-Anchored Attitudes," *American Sociological Review*, XVII (1952), 453-465.

[26] John Irwin and Donald R. Cressey, "Thieves, Convicts and the Inmate Culture," *Social Problems*, X (1962), 142-155.

[27] Richard McCleery, "Communication Patterns as Bases of Systems of Authority and Power" in Cloward and others, *op. cit.*, pp. 49-77.

# UTILIZING THE EX-OFFENDER AS A STAFF MEMBER: COMMUNITY ATTITUDES AND ACCEPTANCE

Milton Luger

Discussions and papers concerned with the utilization of offenders and ex-offenders as therapeutic agents in the correctional process have been numerous. But implementation and acceptance of this concept in the intensity and degree that would affect the correctional process have been sparse.

Despite the pioneering work of Grant, McGee, Toch, Cressey, and others, the vocational use in the field of corrections of individuals who have been convicted of crimes has for the most part been closely related to false notions of economy, staff shortages, the creation of busy work, and exploitation. When our superficialities are analyzed, the laudatory reports of "client involvement," utilization of "indigenous sub-professionals" and "meaningful roles" for offenders are usually examples of inmate teachers functioning in prison classrooms with antiquated instructional materials and minimal educational supervision.

I assume that our objective in the New Careers strategy is the creation of long-range vocational tracks which are financed by "hard" money, because the positions and the personnel involved are vitally needed. The roles established for the ex-offenders are to be personally satisfying and economically rewarding, because their life experiences have equipped them to assume unique beneficial functions which we would not be able to offer in our programs without their participation. In other words, we want to make them part of our rehabilitation program efforts mainly because we need them and not because we feel sorry for them or want to help them. It is essential that they understand this concept if we want to get beyond the infantilizing welfare status in which so many indigenous worker programs have been mired. Some ex-offenders can do important, sensitive, skillful things which professional staff cannot do. They understand some things better than staff do. They can have an impact upon other offenders which professionals have too often been unable to achieve. In other words, they're not to be considered cheap labor; they can be chief contributors.

## Basic Concepts of the New York Program

Because of time limitations, I would like to focus mainly on the experiences of one agency — the New York State Division for Youth — in the area of utilizing offenders and ex-offenders as staff resources.

When the old New York State Youth Commission was reorganized and became the Division for Youth in 1960, the need for innovative direct-service programs and for intensive evaluation was identified as crucial. For many years, the Youth Commission had, through fiscal state aid, encouraged localities to establish various youth programs. The new Division for Youth was given the mandate to establish and operate experimental programs for the rehabilitation of pre-delinquent and delinquent adolescents. An important aspect of the overall treatment approach was the inquiry into whether the utilization as

---

*Mr. Luger is director of the New York State Division for Youth.*

staff members of individuals who had been through the correctional process themselves could enhance our effectiveness in rehabilitating others.

For the purposes of this paper, I would like to concentrate on community attitudes and acceptance as we experienced them. We had been cautioned not to attempt to define "community" as a simple entity. I found this to be a helpful point of departure in attempting to analyze the experiences of the approximately 70 young men who have assumed their new roles of staff members. It is more productive to attempt first to understand the different "communities" with which the ex-offender comes into contact, rather than to concentrate on the "communities" about which our agency is traditionally concerned. Both areas must be dealt with if the initial steps in this program are to be made permanent. The totality of others' interest or interference as viewed by the new staff member (the new careerist) is a prerequisite to a complete documentation of what transpired.

Our new careerists were drawn from three categories. Some were youths still residing in our facilities, still on probation, and still participating fully in the daily rehabilitation program offered there. Others were program graduates who had been discharged some time ago, were residing in their own neighborhoods, going to school, working, or seeking employment. The third category consisted of adults who were under the supervision of the New York State Division of Parole after serving sentences in a state prison. Each group had unique experiences because of their different status as well as their personal stage of development at the time they were invited to join the staff of the Division for Youth.

## The Young Trainee Group

The first group had the easiest transition to a new physical housing community (staff quarters) but the most difficult adjustment to their new community of relationships. They moved into staff quarters, but they were in limbo in both their old peer offender and new adult staff member communities. At first they were accused of "selling out" to the administration, especially by newer youths in program who were most hostile to the facility staff. As they tried to put in play what they had most to offer — leadership qualities, respect, and confidence of their peers — they were often met with silence, withdrawal, and suspicion. The older boys still in program were more accepting of the new staff members and voiced their opinion that this specific indication of trust in them and opportunity for one of their number was evidence of administration's sincerity and belief in rehabilitation.

Initially we made a basic blunder. The supervisory staff in the facility was given the prime responsibility for selecting prospective new careerists. They attempted to prepare the youths for possible trials and tribulations associated with their new roles and functions. The other staff members felt little responsibility for, or commitment to, the outcome of this new practice. As more line staff were drawn into the selection process, more people wanted each youth to succeed.

Because most of the new recruits were only a little older than other youths in program, it was at first difficult for staff to include them in their social activities. But beer parties, husband-and-wife gatherings, and activities which included outsiders were handled with increasing confidence and sensitivity as the majority of the new careerists measured up to their responsibilities.

The fact is often overlooked that staff members comprise an important part of the surrounding community of each facility. This is especially true in our conservation camps in rural areas where there are fewer local residents (and hence fewer groups to support or oppose such things as a New Career program). In most of our forestry camp locales, our camp superintendent becomes an extremely influential community member through his recruitment potential and purchasing prerogatives alone. He usually is invited to membership in the Rotary Club and most of the other power structures in the community. He influenced community acceptance of new careerist staff members. But in reality these youths, living in camp, had minimal contacts with the surrounding community. Their mobility was extremely limited, because they rarely owned automobiles and were dependent on others for transportation.

In our community-based residences, the picture was different. Here new careerists were much more visible to the community because of their mobility, close proximity, and the availability of public transportation and recreation facilities. In another sense, though, they more easily blended into the impersonal world of urban living. They were not easily identifiable as young staff members, because the surrounding community in our urban residences was much more accustomed to seeing minority group members.

Minority group members who were selected as new careerists had problems in all three groups whom we had recruited. In many instances, minority status had been one of the principal reasons why the offender had been selected for his new role. His understanding of other minority group members' life styles and his ability to communicate with them in a positive, helping fashion were viewed as vital ingredients with which to "seed" a staff that was all too often comprised of individuals with predominantly middle-class orientation and values. But non-offender staff with "hang-ups" about race or ethnicity resisted easy access to community resources and opportunities for the new careerists. I have observed significant exceptions to this pattern and vast overall improvement as the worth of some of the new careerists' work emerged. However, it still remains an important problem.

The reactions of that portion of the surrounding community that is comprised of the most well-intentioned but naive individuals have been interesting. These people viewed the facilities, as they were established, with some ambivalence. They were not punitive or hostile. They had wished treatment rather than mere punishment for delinquent youths. However, it had been a shock to see this treatment initiated in their own backyards. Would anyone be molested? Would property values decrease? What were delinquents like? Would the program be effective in protecting them as well as helping youths?

To learn that a young man on staff had been a youth in program had a positive effect upon them. They could see concrete evidence of the effectiveness of the program and tangible evidence of staff's confidence in their own product. "Rehabilitation" took the form of a productive youth rather than a verbalized abstraction. They were impressed, and it raised their esteem and hopes for the program.

The professional members of the community, primarily those in the field of corrections, remained more cynical and more reserved. "What are you using those kids for — as spies on the others?" one administrator asked. On several occasions we arranged to have our "graduate" employees appear on community panels. They were always more enthusiastically received by audiences which had little connection with the correctional field. Teachers, businessmen, clergy, and lay people usually commented on how moved they had been by the new careerists' explanation of how they now felt they were more "in touch" with themselves and why they had modified some of their antisocial behavior. These people sensed the sincerity along with the too-easily-voiced determination of the new careerists that they thought they could now "make it."

In contrast, the personnel from probation and from other correctional institutions who were in the audiences invariably became defensive. Most of them voiced the feeling that glibness had been projected rather than indices of behavioral changes. It was almost as if they found it difficult to accept the progress these youths had made without heavy emphasis upon adult control and supervision. Their own professionalism was being threatened by the newfound feelings of heightened pride and self-worth slowly being inculcated through the new careerists' important roles in our facilities.

In reality, these professionals were echoing the anxieties of some of our own staff, who viewed the work of the newcomers as an encroachment upon their responsibilities. With our own staff as well as the outside professional community, we tried a "soft sell" approach which emphasized the enhancement of the professionals' importance as teachers and supervisors of this new staff. We stressed how they might be relieved of more routine tasks by the new careerists. In order to gain initial acceptance rather than fostering resistance, we de-emphasized the fact these professionals could be taught many things by the new careerists. We banked upon less defensiveness and more sharing and camaraderie emerging slowly as these youths, participating in staff meetings and functioning on the firing line of our programs, proved their worth and value.

## The Post-Discharge Group

The second group of youths whom we had hired as staff were those who had been discharged some time before assuming their new duties. These new careerists found the going somewhat easier than the first group for several reasons. First of all, they were older and less likely to be viewed as turncoats. Although their backgrounds were known to the boys, they usually were not assigned to the same facility in which they had been treated. Thus the ambivalence on the part of boys and staff as well was lessened by not having a youth who had been in program suddenly emerge one morning as a responsible employee. Old ties, old relationships, old animosities, and old allegiances, which could prove embarrassing, were not roadblocks to this group's functioning.

Furthermore, a vital ingredient had been added to their repertoire. They had functioned in the "outside world" for a period of time and had proved, most importantly to themselves, that they had the potential and stability to "make it." Very often this post-discharge period had been of short duration, and quite frequently it had not been free of stress, personal difficulty, and problems. But they had not been re-arrested. Thus, with the second group, we had a more mature, more confident crew. They had proved they did not seek this type of employment to stay in the womb. They tended to be less dependent than the first group, which contained, we discovered, some youngsters who had become institutionalized and were fearful of the outside world.

The reaction of the community to the second group added some new dimensions. Since this group had been "at large" for a period of time, they had reestablished community ties on their own. All had reinitiated a dialogue with their local probation officers, some had worked, others were still attending school, a few had been enrolled as staff in poverty programs, or were taking job training, and some had been in the armed forces. What they now brought back were contacts, interest, and the commitments of others to their success. Youths in this category who were attending school and now working for us part-time very often brought their teachers to the facility in which they were employed. More probation officers called us as their clients were hired, to see how they could help. Some ex-employers asked us to give the youths certain areas of responsibility — for example, serving as facility maintenance assistant — so that they might look forward to rehiring the youths with added skills and training in the future. Some of those who had been in service were visited by fellow servicemen, many of whom applied for employment too.

Of course, there were disadvantages as well to the second group's community involvement which had occurred prior to our employment. Creditors called us inquiring as to how garnishments could be attached to state payrolls because of the credit buying done by the youths after their discharge. Women who claimed to be wives of our new careerists — or at least the mothers of their offspring — wanted us to arrange support or working schedules for their benefit. Those youths who had established firm community ties utilized a disproportionate amount of their free time and salary on telephone calls to interested others. (This was an especially significant problem when the costs of long distance calls were presented to those who could not be employed near their homes.)

## The Adult New Careers Group

The third group consisted of adult parolees who were referred to us through a special arrangement with the New York State Division of Parole. They, of course, were the oldest group. They brought with them advantages and drawbacks, so far as the public was concerned, which had a direct bearing on their adjustment with us. Since they were older than the youths in program, some of the benefits realized through peer relations and identification were lost. On the other hand, they had a vast store of experience from which to draw in their work. I remember hearing one older parolee tell a young tough, "Look, don't tell me you're going to push everyone around here because you got a rough deal. I wrote that script myself." And it had meaning to the youth.

Many community members had more apprehensions about this group than about the younger new careerists. They had been in the "big house," and they usually had been convicted of much more serious crimes than our youths had. The unspoken fear that these older men would be permanently settling in the neighborhood was especially felt near our rural installations.

Because we could not offer salaries sufficient to have these men relocate with their families, we encouraged them to live in our facilities during tours of duty, in order to save as much money as possible. We promised promotions as quickly as their performance and our table of organization allowed. But we lost several excellent recruits because of their feelings of isolation, especially if they were assigned to our forestry installations. Ironically, this is where they were needed the most, since they were mostly minority group men and our upstate staffs often had too few representatives of these groups. They complained that they were getting "bugged" without the social contacts, the bright lights, and the tempo of urban living they knew. When one of them accompanied other staff members to a local tavern, he was likely to be the only Negro or Puerto Rican customer. In order to save their contribution to our agency, some have been transferred to our non-residential services such as intake or aftercare which are located in larger cities. Thus their seeding, integrating, and enriching potential for our rural settings where we serve minority group youth has not been fully realized.

## Attitudes of Other State Agencies

I would like to touch upon several other aspects of community reactions. Recently we have discovered a much more positive outlook on the part of state government toward the New Careers concept. Although I doubt that its true objectives or rich potential are fully understood, some agencies are adopting more flexible attitudes toward it. The New York State Civil Service Department, for example, has assumed a much more flexible position on qualifying individuals with criminal histories. This means that individual correctional administrators have to start putting their money where their mouths have been. They can't be shedding pious tears about the civil service system which "ties their hands" in recruitment and allegedly limits opportunities to demonstrate just how much faith they have in their own product.

Numerous examples of innovative programming are described in the literature, and interested program administrators may avail themselves of accomplishments and tribulations in relation to such projects. The Pinehills project in Provo, Utah, discovered hesitation and resistance on the part of civilian city work foremen toward the offenders utilized as crew supervisors. Characteristics of these offenders which made for anxiety on the part of the city workers — mode of dress, language usage, general demeanor — were, interestingly enough, the same outward manifestations of different life styles which cause rejection of offenders by society in general. The worth and contribution of the work details in the Pinehills project helped to overcome opposition.

An interesting issue is raised here, though. Do we wish to encourage newer ex-offender staff members to become more like other employees in appearance and bearing in order to accelerate their acceptance by the general public and incumbent staff? In early Division for Youth experience, young new careerists strove for this acceptance by adopting all the trappings of respectability utilized by other staff. They soon were reporting for work with attache cases and striped ties. Their written reports, replete with grammatical errors, reeked of psychological terms they had heard in their own treatment. It took a great deal of explanation to convince them that their acceptance by other offenders was being hindered by these affectations. Naturalness was one of their important assets, and it was being destroyed.

I don't wish to imply that new careerists must be kept as gross caricatures of lower-class thugs. I do feel that our correctional system tends to enmesh mostly lower-class individuals because others have escape routes. Thus we need the basic and initial identification which ex-offenders can offer to other offenders, but we need a track for ex-offenders to follow which will place them in a comfortable equal status with college-trained professional staff. As new careerists gain experience, enroll in educational courses, and are given different responsibilities, they can, it is to be hoped, maintain meaningful contact with offenders and at the same time move toward increasing identification with professional staff. The goal in the Division for Youth has been to preserve the original sensitivity and empathy of the new careerist, while urging him to prepare himself realistically for movement up the civil service economic ladder.

## Pressures from the Peer Community

The pressure that the ex-offender's peer reference community can exert on the new careerist cannot be minimized. This occurs when old friends view with disdain the new allegiances of the ex-offender and the purposes of his endeavors. Joining the establishment is certainly not one of the more widely applauded ventures of the alienated. A realistic analysis of community reactions to the utilization of ex-offenders must include consideration of that segment of the public which is closest to the new careerist — his own peers.

Stewart Alsop makes mention of this in his editorial "A Conversation with Catfish" in the *Saturday Evening Post*, February 24, 1968. He describes the psychological pressures on Rufus (Catfish) Mayfield, a 21-year-old ex-offender who was hired by the federal government to organize a highly publicized youth program in Washington, D. C.

> Catfish had been arrested on car-stealing charges before he became chairman of Pride, Inc., and he had served time in a reformatory. After he left Pride, he had been arrested again — on another car-stealing charge. Had this hurt his reputation? . . . "Best thing ever happened to me. Some guys were saying, 'This Catfish, he's just a Tom, that's all' — know what I mean? Then the cops arrested me, and it was in the papers; the guys on the streets said, 'That's ol' Fish, back on the streets, stealin' cars again.' "

In our own agency, many youths commented upon the jeering and hostility to which they were subjected by peers as they let it be known who their new employers were. I think support and understanding by program administrators are necessary here, but of more importance are the implications for selection and orientation of the new men. Too often we select men for these new responsibilities on the basis of evaluation of what we need rather than what their interests or motivations are. We see an ex-offender's potential for filling a program void, and so we convince him of the opportunity inherent in this aspect of our work. Too often we run roughshod over his commitment to the idea of service to others in his new role. Because we literally seduce him into the new position, he is psychologically ill-prepared to withstand the rejection and rebuffs heaped upon him by old friends. If he were committed to the notion of helping others first and sought us out for the opportunity to do so, he would be better prepared for the onslaught.

## Special Contributions to Corrections

Another interesting consideration is the enhancement of the correctional field in general through the accomplishments of new careerists. Several of Douglas Grant's disciples have helped communities to conceptualize their human relations problems and to describe their needs sufficiently to gain federal fiscal assistance. Not only were funds obtained with the new careerists' active participation in writing the proposal, but the actual implementation of the programs was enhanced through the work of the men who had established important relations with local indigenous leaders.

Recognition and respect for corrections have been obtained from the community of sister agencies through the efforts of ex-offender Bill Perrin, who initiated a data-processing unit in the Indiana Reformatory to serve the institution's needs. When this service was utilized by other governmental agencies, a happy marriage of inmate training, agency cooperation, and budgetary savings came about. This concept has now been implemented in South Carolina as well, and not only are many state agencies benefiting from this arrangement but also the federal government is heavily involved through vocational rehabilitation funds.

## Attitudes of the Political Community

The political community has to think through its responsibilities in this area. The "disadvantaged" are "big" this year, especially with militant voter registration programs in swing. If politicians want to win support from these groups with programs emphasizing the worth of the indigenous leader, let them fully understand that the new careerist is valuable and important *because* he is an "ex-con." When something goes wrong and the headlines start to blare about some untoward incident involving a publicly employed ex-offender, the politicians have to support this New Career approach rather than launching the usual investigation about why he was employed at all.

An example of this practice can be gleaned from a recent radio editorial broadcast. The setting is not a correctional institution, but the principle is the same.

> City Hall has apparently steamrollered the Parks Department into firing a onetime convict from a non-sensitive recreational post.
>
> The ex-convict, __________, was jailed in 1965 for __________. He served two years of a five year sentence, and was paroled last March. Since that time he's become active in __________ community programs; he was scheduled to assume his Parks Department job this week.
>
> Parks Commissioner __________, in defending the appointment, said prior to the weekend he was satisfied __________ had rehabilitated himself. "If we are to bring the alienated back into society," __________ said, "we cannot treat them as untouchables." That was Thursday. On Friday Mayor __________ announced __________ would not be hired until the city had studied the case. Commissioner __________ quickly got the message. On Friday evening the Parks Department did an about-face, saying the city's personnel bureau had discovered "after careful examination" that __________ was not qualified to be a city recreational director after all.
>
> This is a lame excuse, meant for public consumption, not as a statement of fact. But it raises serious questions of public policy.

> We would agree that Mayor ________ has a right and an obligation to pass on matters as controversial as this appointment. But we would suggest that for the city to slam the door shut in ________'s face is inconsistent with the Mayor's pledge to "study" the case.
>
> ________ Radio believes judgment on ________ should be suspended until an investigation is made. If there is any evidence ________ is a danger to the community, it should be presented. If no evidence of this nature is forthcoming, ________ should be reinstated to his job. In that case, Commissioner ________'s original assessment of his character and fitness for constructive employment should be allowed to stand.

It is small wonder that political leaders are ambivalent in their position in this area. The same mayor who was chastised in the radio editorial was criticized in a local paper after he had launched a citywide youth program which called for the establishment of a network of neighborhood storefronts to be staffed by and made readily available to troubled youths in their own areas. High priority had been given to the hiring of indigenous youth leaders, many of whom had had previous difficulty with the police, to serve as youth program leaders. Newspaper abuse rose to a high pitch when one of the many "youth leaders" was arrested by the police for possession of a pistol. And the year before, the same political leader's chief youth agency executive was severely criticized for contacting a notorious underworld family for assistance in maintaining racial calm among youths of their ethnic background who were on the threshold of violence toward other neighborhood youth groups.

## Public Attitudes

There seems to be an underlying dynamic at play. The public feels threatened and uncomfortable at utilizing the unusual attributes — identification, communication, trust — of the ex-offender because his involvement shakes the public's confidence in the established machinery for resolving crisis situations. The traditional approaches relied upon professional social workers, police, or other acceptable individuals to cope, for example, with anti-social youth. Was this machinery ineffective or powerless in protecting societal norms?

Because of its conflicting supportive and punitive instincts, the public very often is in a dilemma. How far can this "new breed" be trusted? Will they utilize their new status, authority, and power for the good of the society, or will they eventually turn upon their "benefactors"? Is a Frankenstein monster being created?

The other side of the coin of the new careerist's involvement is the release of primitive emotions on the part of the public epitomized by the belief that effective tactics of control will be utilized by ex-offenders which would be "unacceptable" if employed by traditional workers. Few enlightened, vocal public figures would advocate force or coercion on the part of social workers in dealing with troubled youth. But there is a widespread uneasy feeling that all the counseling, supportive services, and good intentions on the part of the establishment are not effective in controling some acting-out individuals. Here the new careerist is covertly welcomed. He might resort to the plain talk and brute force the public would like others to exert, when its agents have failed. The public's acceptance of the new careerist on these terms and with this role is extremely unfortunate. It is a prostitution of what he really has to offer. But too many program administrators are buying into these societal fears and expectations in order to establish new careerists as potentially valuable and worthwhile. What must be emphasized time and again is that the main contribution of this movement is not control.

If program administrators in their zeal go along with this characterization, which the public might be ready to accept, a monster will indeed be created, because the role of the new careerist will be limited to that of muscle man. When muscle men are frustrated or limited to this role satisfaction, they might well utilize their newfound following for ulterior purposes. Herein lies the importance of convincing the public that important contributions have been and can be made by some of the "new breed" in the field of leadership, research, proposal writing, staff training, and many other activities which some have done so well.

## New Careers and the Future of Corrections

Let me add, in closing, that the utilization of a New Careers concept is not a panacea for our program shortcomings, and inherent in this approach are bitter disappointments, embarrassing untoward incidents, and severe public pressure on staff not to initiate significant modifications in present staffing patterns. Some new careerists will get into further difficulty with the law while they are employed; some will abuse the authority given them (as child care staff, for example), and do things which are harmful to those with whose supervision they have been entrusted; others will not be convinced of staff concern for their problems or respect for their potential in this field, and they will disappear without explanation.

My thesis is that our accomplishments in the field of treatment of delinquents and criminal offenders have not been such that we can ignore exploring the potential of this new approach. There is much we do not know about motivating individuals to make better use of their lives in less self-destructive ways. What we do know through such concepts as the therapeutic community is that the direct, meaningful involvement of clients in vital, necessary, active roles is an indispensable ingredient in establishing a treatment climate of hope, fulfillment, and flexibility sufficient to maintain a dynamic process. We have much to gain and little to lose except the stultifying shreds of self-protective inertia.

* * *

# VITAL COMPONENTS OF A MODEL PROGRAM USING THE OFFENDER IN THE ADMINISTRATION OF JUSTICE

J. Douglas Grant

Any effective manpower program must consist of more than recruiting for vacancies as they occur. Certainly a program using offenders as a manpower resource must be concerned with a variety of issues besides that of recruitment. This paper discusses the essential components of an offender manpower program, then gives examples of the ways in which offender manpower can be used in the administration of justice.

## Components of a New Careers Program

There are at least seven areas to which attention must be given in developing a program for the use of offenders.

1. A viable staff climate must be created. Though lip service is often given to the necessity of such a climate, in practice it receives too little attention. Creating an appropriate climate means involving staff at all levels of planning and operation. The involvement of staff as coequal participants with offenders is necessary to bridge existing barriers of mistrust and lack of communication. The sequel of such involvement is the need for changing attitudes and taking on new and unfamiliar roles. Time must be allowed for this to occur.
2. There must be well-thought-through selection procedures, and selections must be made with regard to the kinds of placement opportunities which will ultimately be available for offenders.
3. Placement strategies must be developed that allow exploration of new roles and exposure to a variety of training experiences.
4. Education and training must be geared to the actual work being performed and should involve learning through participation, by doing and by teaching others.
5. Supportive services need to be developed to handle the problems of living and adjusting not only to concerns that any offender has as he tries to adapt to the outside world but also to the special problems that are created by the new careers and by the demands for value and behavior shifts as he adapts to these new roles within the agency and within society at large.
6. Attention must be given to building career lines that optimize the offender's mobility within as well as outside of the administration of justice field. Attention must also be given to developing programs that do not get bogged down in meaningless routine or meet with administrative roadblocks.
7. Community support must be developed at the outset, both for build-

---

*Mr. Grant is president of the New Careers Development Organization, Oakland, California.*

ing community understanding and for developing strategies for coping with the anti-social behavior that is bound to occur.

### Creating the Climate

Manpower strategy for an organization should be planned by staff and offenders working and studying together. Several meetings should be given to exploring ideas, citing previous experience, and discussing the kinds of problems which will have to be faced in developing a program. Such study groups should also meet with offenders and staff from programs in which the use of offenders has already been developed. We are fortunate now in having sufficient numbers of these kinds of programs around the country to form a nucleus for further development. A nationwide source of funds should be available from which agencies planning offender manpower programs could secure travel funds to allow such an interchange between existing and planned programs. Until national funding is developed, any new program should make available funds for such travel exchanges. This sharing of basic know-how and the communication of attitudes and feelings by participants in existing programs is an essential prerequisite to developing appropriate climates.

As program begins to be formulated, more staff and offenders could be brought into the planning process by setting up special task forces to work on given sections of the program — for example, the education component, the in-service training to be given both staff and trainees, the selection procedures to be used, the arrangements for supportive services, and the development of peer support within staff and offender groups to help handle problems of personal adjustment. Different task forces could also work on the different kinds of jobs to be performed and the ways of building career opportunities within each kind of function.

The implications of Korn's efforts to develop an actual association whose membership is comprised of both staff and offenders[1] offer assistance in developing an appropriate climate for the use of the offender. Such community-based associations could serve as sponsors for programs in different segments of the administration of justice. They could facilitate the development of the communication network needed to bring about awareness of program development and of the achievements that can be obtained through shared participation in the program operation. This program development effort could be justified within existing agency budgets as in-service training for staff and group counseling or its equivalent for offenders.

The decision on whether to start such staff-and-offender-shared programs within an institution, a halfway house, a community relations program, parole, or probation depends upon how much there seems to be going for the idea initially. Although the correctional system has had much more experience with the use of the confined inmate, it may well be that community-based programs will provide a more acceptable climate for exploring offender participation. In the New Careers Development Project conducted in California under the sponsorship of the National Institute of Mental Health,[2] we were impressed with the amount of motivation and achievement which could be mobilized within the confinement setting, but much more exploration needs to be done as to the relative advantages of a confinement and a community situation in developing initial skills and identification with the program.

Since success will depend largely upon the initial staff climate in which one tries to bring about change and development, I believe the major strategy here is to start where there is the optimal chance to build something.[3] Ultimately, the use of offender strategy should be available throughout the entire administration of justice. It may well be that certain members of society are destined to spend their total lives within confinement. There is no reason, however, why these men cannot be trained for and perform professional career services entirely within the confinement setting.

### Selection

We certainly should not be trying to force all offenders into any program, including New Careers. However, the selection issue is not so much *which* offenders should be built into the administration of justice, as *what kinds* of offenders should be matched with *what kinds* of careers. If one examines the roles in which offenders have already been used, it becomes obvious that there is very little offender use with which we have not already had experience. Beyond this, the new self-help emphasis and the new careers concerns throughout all the professional fields create a demand for innovations which will allow much more client participation. This should open up the way for many new roles for varying kinds of offenders.

There are some clues from our research and experience, however, which should be considered in planning future programs. In the California New Careers program, anonymous peer evaluations were used in selecting offender trainees for careers in program development. The apparent success of this procedure in locating offenders who were "doers not just talkers" strongly suggests the use of peer evaluations and self-evaluations in selection. Such evaluation procedures, incidentally, are finding more acceptance in general personnel practices.

The Howard University study[4] gave us many surprises as to how well trainees did when selected at random. A youth classified as dull normal was teaching medical students within a few weeks how to compute relatively complicated statistical measures. In the California program we found a negative relationship between the trainees' initial potential, as defined by the professional staff, and how well they handled themselves during the program. Those trainees, largely but not exclusively minority group members, who had the least prior experience with opportunity to enter a professional way of life, handled themselves the best when given the opportunity for careers as program developers. On the other hand, those (largely Caucasians) who had some prior opportunity and experience with professional roles had the most difficulty handling themselves in this program. A simple way of stating this phenomenon is that those who had an opportunity for professional careers but had "hang-ups" which made it difficult for them, were apt still to have the same kind of difficulties; whereas those who had never become involved with professional career opportunities were much more apt to be free from the specific problems which would give them trouble in these roles.

Another selection issue is whether to choose the offender who is still demonstrating problems of personal and social adjustment or the offender who has demonstrated his rehabilitation. Actually, we need to work with both, but the implications of building participation roles into our rehabilitation efforts need further exploration. There are strong implications that such participation is beneficial not only to the rehabilitation of the offender but also to the improvement of the process itself. Obviously Synanon and Alcoholics Anonymous have not exhausted all possibilities, but their model — which takes people where they are and keeps working with them, providing increasing responsibility through participation — is a strong lead for the kinds of strategies we need to develop.

### Placement

We have much to learn about matching types of offenders with types of careers. However, our leads to date would suggest strategies which optimize self-selection and peer selection but offer exposure to a wide variety of training experiences. This means that the developmental process itself should be kept as flexible as possible and with as much freedom for shifts in career efforts as can be built into a system and still keep it productively viable. In the California program, many of the offenders shied away from writing, from working with data, and from any systematic study that was at all related to numbers. Because of the initial selection, all were most comfortable talking and operating in groups. Several, however, have now become more than passably proficient in writing; one actually aspires to become a professional writer; and two are now employed in data-handling research occupations. All are much more comfortable now with both writing and the use of numbers.

Our placement strategies should call for core development programs which allow opportunities for project exploration in several fields. Following three to six months of core training, there should be intern placements which are seen as part of the new careerist's orientation and further development. He should anticipate that he will move from one internship to another as he learns and develops through doing in several areas. Again, during all of this process, peer evaluations and self-evaluation should have as much influence on assignment decision as evaluations by staff.

### Education and Training

Training for the initial job and for career advancement should be based on learning through doing. The offender should start by actually working with staff on specific projects — for example, surveys of offender and staff attitudes toward rehabilitation or training programs. They should be required to write proposals stating exactly what they plan to do and how they plan to do it. In their efforts to perform, they should have the constant support and counsel of staff and consultants knowledgeable in the particular field from which their questions will arise. They write a first draft; then someone knowledgeable in proposal-writing goes over the first draft with them, answering specific questions and giving advice on formulating the second draft. Along with learning through participation in specific projects, the offender should learn through trying to teach others what he himself is trying to master. He could participate on a team combining staff and offenders which is trying to teach interviewing techniques, in-service training procedures, or research methods to other trainees.

In all developmental efforts, there should be a set of basic principles which are built into the trainee's approach to the problems he will face in his career development. We have had unusual success in getting two principles to become a living part of the trainees. These are:

1. A working understanding and use of the scientific method. All problems should be approached in terms of an answerable question, a rationale for approaching the question, an intervention based on the rationale, expecteds which follow from the rationale as applied to the intervention, and a way of observing whether the expected is occurring or not.
2. A participation approach to bringing about change. One works with and through others by giving them meaningful roles in whatever task is being undertaken. Specific techniques, such as role-playing, have been developed to help maximize the participation in planning and problem-solving efforts.

The education and training of the offenders should be integrated with existing higher education and with the training and development of staff. As far as possible, staff and offenders should work as teams with shared participation, learning through this sharing. A further possibility in this team learning is the introduction of graduate students who would work with both offenders and staff, with all three having something to contribute both from content and from culture value frames of reference.

### Supportive Services

While achievement can and should be expected, adjustment difficulties should also be anticipated. In addition to whatever "hang-ups" the individual brings with him, he now is moving into new roles with new values and new kinds of interpersonal relationships. We are asking the offender to play a different kind of game. As he moves into new games, he has to spend time learning how to play and learning the culture that goes with the game. Every effort should be made to create a situation that allows sharing this new learning and development with peers and staff. A climate should be developed in which crises can be shared and in which one can learn from the actual experiences of coping with the new game. Maxwell Jones formalizes this kind of development in what he calls "living-learning through crisis." The problem, again, is that of developing enough trust and a climate in which problems can be shared before they become completely devastating.

Crises will also occur around finances. The offender trainees should be encouraged to create a fund for emergency loans. Some attention to this can be given in developing remunerative aspects of the program. From the start, a certain percentage of the trainee's pay could be put into such a fund, with the administration of the fund left to the offender group itself.

One of several surprises found in the California program was the supportive and developmental role played by the women with whom the new careerists became involved as they moved into their new job opportunities. Besides the personal relationship itself, these women provided the new careerists with social contacts which helped them to adjust to a new culture appropriate to their new game. It seems plausible that the women with whom most of the men became involved offered a reasonable transition from their former offender-oriented cultures to the new program-development culture.

The women and their friends tended to have values and to think in terms of changing the culture rather than accepting it at face value. This allowed the offender to move from an anti-culture stance to a concern about changing the culture which, it is at least plausible to believe, is easier than a transition from anti-culture to pro-culture.

We have much more to learn here, but again there are leads to help immediate programming. Korn's idea of an association has relevance to encouraging the participation of women. One could have in such an association not only staff and offenders but the girl friends and wives of both offenders and staff. As part of such an association's activities, study groups could be fostered which would bring the entire group together around the social and career development issues inherent in the goals of the association.

### Management

Within any given agency, career lines will have to be developed which not only give vertical mobility but which allow lateral transfer within the agency. In addition, every effort must be made to link career development in the agency to opportunities in other agencies. Through education accrediting and experience equivalency, we need to work to optimize the mobility of a new careerist through the entire field of corrections. It should be possible, for example, to move through the entire country from parole to police to probation work. In addition, we should keep linkages with other related fields, such as employment services, welfare, and rehabilitation. We can look for new alignments and new administrative structures developing as these kinds of functions are expanded within our culture. We have a responsibility to build the participation of the offender in a way that optimizes his mobility within new and emerging administrative structures.

In a program involving the use of offenders, it is extra-important that the administration keep it from becoming a meaningless routine. The trick is to keep the program alive. Crises are a help if they do not become completely overwhelming. Situations which demand a large amount of output to keep the show on the road might be encouraged. Challenges should be shared. Credit should be given profusely. Pride should be allowed to develop in the ability to perform and achieve.

It is important that those in supervisory and administrative roles do not become roadblocks to actual achievement. This is something that administrators have to watch within themselves; they must also be alert to prevent staff from maneuvering them into this position. They should attend to scheduling, so that things can move whether they are there or not. They should work out deadlines and commitments of which they are a part in such a way as to avoid situations in which nothing can happen until their contribution is completed.

### Community Relations

A supporting advisory group should be developed which is fully aware of the program, its assets, liabilities, and ways of meeting problems which are bound to arise within the community. It should be understood that a program like this exists in terms of calculated risks. Offenders represent a potential for behavior with which society has trouble and which society wants to minimize. As with death on the highways, it is obvious that no one strategy is going to eliminate entirely the kinds of behavior about which society is concerned.

Society must think of varying programs with varying probabilities for the expression of such behavior.

Within this frame of reference, we have every right to approach the community with the proposition that the use of the offender as a participant in the correctional process will minimize the risks taken and maximize the productive potential of offenders to society. The community must have an understanding of — and strategy for coping with — the anti-social behavior which is bound to arise in these programs as it does in any other. A frame of reference and a mechanism for handling crises as they arise must be developed. The program should have its strategy thought out in advance rather than being caught flat-footed when the probabilities eventually catch up with it.

## Program Areas for the Use of Offenders

It is hard to think of any function in corrections and the administration of justice in which we do not already have experience in using the offender and ex-offender as manpower. Though obviously much more needs to be done in the way of systematic programming to draw together the loose ends of experience in the use of offenders as a manpower resource, there are at least seven clearly definable areas of experience in which we have the right to talk of available models for employing offenders and ex-offenders. These areas can be divided into those concerned with the expediting and developing of the administration of justice and those concerned with the operation of the process as it presently exists. First priority should probably be given to the former, the functions of expediting and developing the process itself. Here it would appear there should be the optimal chance of finding an initially favorable climate and also of developing tools and procedures for creating appropriate climates.

### Expediting and Development Functions

Under expediting and development functions are included in-service training, research, program planning and development, and community relations.

*In-service training.* Offenders have already been used in training workshops for judges, probation officers, parole agents, parole board members, and attorneys. However, the training involvement can and should go beyond the usual presentations and discussions. A more exciting training possibility would be to have offenders and staff members participate jointly in role-playing problem situations within the institution or agency setting, with individuals taking on a variety of roles, including those of the other group, as a prelude to discussion of issues of concern to both groups.

Offenders could also prepare resource material for in-service training programs. At San Quentin prison in California, for example, inmates have made a training film for forestry camp programs to be used by the state Department of Corrections. Offenders could have careers at working with in-service training officers and university instructors in training both existing and oncoming staff.

*Research.* There is a great need for research and innovation within the system for administering justice, and increasing amounts of public and private funds are being made available for it. Manpower resources here are exceptionally scarce. California, for example, is having trouble keeping a rather limited number of civil service correctional research positions filled. Research talent being developed by universities is faced with increasing demands and job opportunities in many fields besides corrections. Fortunately, we have several examples of ways in which offenders might be used to staff research programs.

Offenders can be used to staff the data-processing and computer-programming components of information systems. This has been done extensively in Indiana and is also being tried in South Carolina and Washington. Michigan has experimented with the use of offenders in a computer program run jointly with the state Division of Highways.[5]

Data-processing and computer-programming activities can be expanded to research units that design and carry out surveys and evaluation studies, prepare questionnaires and test materials, handle report-writing, and set up accounting systems in addition to processing data. Such units could handle research projects within the institution or community. By use of mail, telephone, or site visits, they could also service research in other cities or states. Such a research service center, staffed chiefly by inmates, was in operation in the California Department of Corrections for a period of eight years. It was developed from a model used in a Navy retraining center which utilized hospital corpsmen and confined Navy and Marine offenders as staff.[6] It should be possible to build this kind of center in any correctional facility, using offenders and appropriate agency staff backed up by university-based consultants.

In a non-confinement setting, the New York State Division for youth has used former clients for its programs as research assistants, particularly for interviewing other youth.[7] Pearl, in the Howard University Community Apprentice Program, trained delinquent school dropouts in research methods and in a few weeks had them successfully interviewing, coding interview material, operating hand calculators, and doing simple statistical computations. All of these experiences clearly point up the irrelevancy of a college degree for carrying out much of the detail of research and evaluation activities.

A special aspect of research activity warrants separate mention. This is a new methodological approach to gathering and analyzing data which involves active participation by the subjects of the research effort. This approach has been discussed recently by Toch in relation to a study of violence.[8] Offenders with histories of violence were given sufficient training to assist in studies of similar offenders. The trained offenders interviewed the offender subjects, then conducted study groups in which three to five subjects would study their interview material to discover patterns within episodes of violent behavior that ran through a given subject's history or crossed the history of more than one subject. The subject-participation strategy opens up many opportunities for offenders in correctional research, as well as giving access to kinds of information not heretofore obtainable. Moreover, it is another step towards a rehabilitation-participation model which combines doing, learning, and teaching others.

*Program planning and development.* The offender training project conducted in California was undertaken on the assumption that the demands for change within the human service fields are so great that there will be an increasing need for persons able to implement systematic change through planned innovation and systematic evaluation. The project has been so successful that New York City's Department of Human Resources, the State of Washington's Department of Institutions, and California's Department of Corrections are planning replications of the essential features of the study with the aim of providing program developers for the varying programs within their agencies. The New York program[9] calls for 40 program developers, half of whom will be graduate students and half young adult males who will come from the hard-core unemployed. The principal trainer for the program will be a program developer from the California project who has been working for the past 18 months as a teacher-counselor in an experimental college program at Southern Illinois University.

Two features of the program are worthy of special attention. One is the development of a small core group who will help set up the program and acquire a feeling of commitment and a cause to join; they will then serve to transmit this feeling to the first group of trainees. The other is the use of the first group of trainees to help in the technical training of the next group. This is expected to increase the feelings of participation of the first group and transmit a sense of commitment to the second.

Such a program development role could be built into every entity in the country which is concerned with the administration of justice. All agencies and organizations will have increasing demands placed on them for change in order to provide more effective service. They will need staff as enablers for this change. The California study and its outgrowth amply demonstrate the potential of the offender as a resource for planning and program development.

*Community relations.* The training of police-community relations aides in Richmond, California[10] and in Philadelphia suggests a model for the use of the offender in police, probation, and parole work. In this model the offender is used not as an assistant officer but as a linker with families, peer groups, and the community at large, to provide a viable extension of the officer's services.

Experience with offenders in establishing community action programs, in working with Neighborhood Youth Corps projects, and in helping set up New Career programs for the poor under the Scheuer amendment to the Economic Opportunity Act, has amply demonstrated that offenders can work effectively in developing new programs in the community. They can work successfully with both grassroots people and agency staff. They do exceptionally well in public presentations of programs.

A role not yet tried but one which appears very viable is that of an executive offcer for parole advisory and community relations committees. Such a person could help develop and expedite the functioning of citizen groups, which should include representatives of the grassroots as well as business and professional groups. He could serve as a linker with other community agencies and be a source of information on their operations. Further he could become knowledgeable about, and a source of information on, new programs that offer funding possibilities for community development, especially those at the federal level. Many such programs are being developed by the Department of Labor, the Department of Housing and Urban Development, the education and vocational rehabilitation agencies in the Department of Health, Education, and Welfare, and the Office of Economic Opportunity. The need to keep abreast of such programs, to guide communities to those which they can most effectively use, either singly or in combination, is creating a new field of specialization for which no one is being systematically trained, but which is of great importance to local communities if community change is to develop in some kind of coordinated pattern. One of the offenders trained in the California project played a role something like this as executive secretary for a three-county mental retardation association.

### Program Operating Functions

Now let us look at some operating functions within the correctional process in which meaningful participation by offenders has been demonstrated.

*Rehabilitative services.* The California Department of Corrections has recently completed the follow-up on an experimental treatment program in one of its institutions. The second phase of the program attempted to bring staff and inmates together in a kind of therapeutic community which shared living, working, and learning experiences. Its goal was to develop interpersonal competence through total group discussion of these experiences.

The rationale for the program called for increasing participation by all levels of staff and inmates in the program's development and operation. Work supervision, custodial duties (the fire watch, some bed checks and counts), reporting, and data collection were shared among inmates and staff. A critical moment occurred when four of the six professional staff (M.S.W.'s) resigned from the program after refusing to play supervisory or work roles in the institution laundry, which was the setting for the project's work assignment. With the resignation of the professionals, a dynamic increase of participation by other community members became necessary. The roles and duties of the M.S.W.'s now had to be taken over by the custodial officers and inmates.

Studies of these role changes were interesting in themselves, but what we now know increases their importance. Post-confinement data are available comparing the parole performance of the participants of this living group program with that of a matched control group which went through the regular prison program.[11] The experimental subjects are doing significantly better than their controls. Further, it appears that the post-institutional effects of the program improved with the resignation of the professionals. Apparently programs are effective to the extent that clients have meaningful participation roles and are allowed to learn through doing. This study strongly suggests that offenders can make a contribution in correctional rehabilitation programs and lends further support to the argument for making clients participants in their own treatment rather than mere recipients.

Another California Department of Corrections program brought parole agents and parolees together as co-workers in efforts to move the parolee residents of a halfway house effectively into the community.[12] Committees for the development of employment opportunities and for education programs, as well as for recreation and for house management, have been formed with both parole agents and parolee members. This kind of committee system is being given a test in a New York City community mental health program which is utilizing a set of committees staffed by patients and ex-patients to develop and run the rehabilitation program for clients as they move from hospital to community. The program is being coordinated by an ex-offender who was trained as a program developer.

The New York State Narcotics Addiction Program is using ex-offenders in rehabilitative roles following leads given by Alcoholics Anonymous, Synanon, and the Seven Steps Foundation. Also in New York, as Milton Luger has described for us, the state Division for Youth is using ex-offenders as staff for its camp and urban center rehabilitation programs.

*Education.* Richard McGee, in a conference on "The Offender As A Correctional Manpower Resource" sponsored by the National Institute of Mental Health, commented:

> The idea of using inmates to help themselves and to help others is not a new idea. I went to Leavenworth many years ago . . . without help or welcome from the administration, I might add . . . and started an educational system. At the end of six months, I had nearly one thousand people engaged in classes of all kinds. I didn't do it alone; the prisoners helped me. They wrote the correspondence courses, taught classes, kept roll, and did the things that are ordinarily done by a faculty of thirty.[13]

McGee, along with many others, has demonstrated the potential of the offender as a manpower resource in education programs for offenders.

John McKee has developed an education service at the Draper Correctional Center in Alabama, staffed largely by offenders, which builds its own educational program.[14] These programs have attracted nationwide attention for their effectiveness and for the number of offenders who have moved through them into college work upon release from confinement.

Beyond the demonstrated use of offenders in educating other offenders much wider participation opportunities are inherent in such concepts as a prison college (currently being explored at San Quentin prison in California as a demonstration project funded by the Ford Foundation) and in work-release programs which could allow offenders to combine education in the institution with release to on-campus classes in the community.

*Advocacy.* The Vera Foundation in New York [15] and Community Alert in Los Angeles[16] have created roles for ex-offenders in which they serve as advocates for the arrestee prior to his conviction. In New York, arrangements have been made with the court whereby in selected cases an arrested man will be released on his own recognizance if he agrees to work with the Vera Foundation program. The Foundation uses ex-offenders to develop a job and supportive services for him. At the end of three months, his case will be reviewed by the court. If he is making a satisfactory adjustment, the case will be dismissed. If adjustment is not satisfactory, the man will be subject to trial. In the Los Angeles program, ex-offenders will serve as a link with the arrestee and the community as well as with legal services, to ensure that he will be informed of all rights and opportunities and that contact will be established and maintained with outside resources while he is in jail pending trial. These programs open up the whole field of the administration of justice prior to arrest. They suggest new roles the ex-offender can play in what have been thought of as legal services.

## A Final Word

The case is impressive for paid career participation of clients in the administration of justice. The die probably already is cast, and we will see increasing numbers of demonstrations and efforts at program implementation following the leads of the work thus far.

There are three longstanding problems we can expect in implementing New Career efforts, problems which are constant companions of any effort at change. First, there will be an attempt to isolate the new programs from the general correctional routine. There will be no attempt to work with total staff involvement so that a climate can be created where the New Careers thrust will have impact on the total system. The program rather will be kept as an isolated special demonstration which will tend to invoke hostility rather than having a positive influence on the system as a whole.

Second, we can expect sloppy, inadequate preparation and administration of the new programs. This presentation has tried to set forth our present best guesses as to the kinds of preparation in administrative and attitudinal structure which is necessary for effective New Careers development. One can anticipate efforts to keep the correctional system just as it is, despite the new programs, which will be set up without any basic strategy or preparation for change. The offenders brought into the new programs will probably be those who can talk the best and the fastest, or those most like present staff, who can be counted on to not make them feel uncomfortable or force them into new roles. One can see a set of failures resulting from these efforts which will provide ammunition for the doubters who can then say, "We tried it, and it didn't work."

The third and probably the most important problem is that of effective research and evaluation. We now have a promising lead. Instead of using this lead as a base for systematic inquiry, experimentation, and study, we will see efforts to promote this as the new idea and to sell only the package without any of the need for the hard work of setting up the necessary mechanisms within the correctional operation to allow development based upon systematic study.

These problems will have to be dealt with effectively if the New Career concept is to prove helpful to both offenders and corrections as a whole.

## References

[1] Richard R. Korn, *Correctional Innovation and the Dilemma of Change from Within.* 1967.

[2] See J. Douglas Grant and Joan H. Grant, *New Careers Development Project: Final Report* (Sacramento: Institute for the Study of Crime and Delinquency, 1967).

[3] Richard Korn, upon review of an earlier draft of this paper, pointed out that "starting where the climate is favorable" is only one of several possible implementation strategies. It may be that direct confrontation is more appropriate. Here, one would work to line up administrative and political power behind a clearly formulated policy and would take on anticipated opposition from a position of strength.

[4] *Community Apprentice Program: Disadvantaged Youth in Human Services* (Washington: Howard University Center for Youth and Community Studies, 1965).

[5] Joan Grant, "The Industry of Discovery: New Roles for the Non-professional" in A. Pearl and F. Riessman, *New Careers for the Poor* (New York: Free Press, 1965).

[6] J. Douglas Grant, "The Use of Correctional Institutions as Self-Study Communities in Social Research," *British Journal of Delinquency,* VII (1957) 301-308.

[7] Milton Luger, "Selection Issues in Implementing the Use of the Offender as a Correctional Manpower Resource" in *The Offender: An Answer to the Correctional Manpower Crisis,* proceedings of a workshop on "The Offender as a Correctional

Manpower Resource: Its Implementation." Asilomar, Calif., September 1966 (Sacramento, Calif.: Institute for the Study of Crime and Delinquency, 1966). Publication referred to hereinafter by title.

[8] Hans Toch, "The Social Psychology of Violence" in *The Offender: An Answer to the Correctional Manpower Crisis;* and "The Study of Man: The Convict as Researcher," *Trans-Action,* IV (1967), 72-75.

[9] E. A. Lester, *Interim Report to Special Committee to Plan a Career Development Program within Human Resources Administration* (New York: Human Resources Administration, 1967).

[10] G. E. Misner, *The Development of New Careerist Positions in the Richmond Police Department.* Publication #103, Contra Costa Council of Community Services (Walnut Creek, Calif.: The Council, 1966).

[11] F. Fromm and J. Robinson, *Intensive Treatment Program: Application of Therapeutic Concepts in Correctional Programming as Applied in a Demonstration Project Conducted at the California Institution for Men.* (Sacramento: California Department of Corrections, 1967).

[12] *Job and Career Development for the Poor in the Los Angeles Area: Report Prepared by New Careers Development for the California Office of Economic Opportunity,* March 1966.

[13] Richard A. McGee, "The Frame of Reference" in *The Offender: An Answer to the Correctional Manpower Crisis.*

[14] John M. McKee, *The Draper Experiment: A Programmed Learning Project.* Paper presented at the First Annual Convention of the National Society for Programmed Instruction, San Antonio, Texas. March 1963.

[15] T. S. Chittenden, *Manhattan Court Employment Project* (New York: Vera Institute of Justice, 1968).

[16] *Citizens Justice Corps: Proposal Submitted to Department of Health, Education, and Welfare* (Los Angeles: Community Alert Patrol, 1967).

# ISSUES AND STRATEGIES OF IMPLEMENTATION IN THE USE OF OFFENDERS IN RESOCIALIZING OTHER OFFENDERS

Richard R. Korn

Two rose-tinted legends have long been current in that rather prosaic mosaic of myths known as "sound correctional policy." The first suggests that many correctional problems would be solved "if only our correctional personnel were better trained." The second, a logical consequence of the first, is that a major obstacle to correctional progress could be overcome "if only we could solve the problem of recruiting these better-trained personnel in adequate numbers." It has been suggested that many ex-offenders are peculiarly suited to fill this manpower gap and that their recruitment, by ameliorating the personnel shortage, would go far toward solving the correctional crisis. The fact that this conference is sponsored by the Joint Commission on Correctional Manpower and Training makes it seem all the more urgent that these implications be examined. Taking them in reverse order:

1. The massive use of offenders in correctional roles is not new but immemorially old, not uncommon but widespread, not radical but highly conventional. Moreover, it does not appear to be true that convicts have almost always occupied these roles without formal acknowledgement and reward. The recent episode in Arkansas reminds us that convicts have wielded both power and guns with official sanction and reward, and have often used them with a license as unchecked as that of a sheriff's posse. Sophisticated colonialists have long known that one of the best ways to keep a subject population in subjugation is to divide it from within by enlisting potential leaders of violent revolution as instruments of violent repression.
2. The notion that larger drafts of trained correctional manpower could solve correctional problems either begs or ignores the question of precisely what this manpower would be engaged in doing. During the witch craze that gripped New England, a time came in Salem when virtually anyone who was not a witch was a dedicated witch-hunter. Increasing the number of demonologists has rarely decreased the number of demons. For a modern example of the same lunatic logic, one need only quote the arguments of those who would rely on hard-nosed law enforcement as the only realistic solution of the riot problem. In order to solve a problem created in part by police harassment, one need only increase the number of persons engaging in the harassment.

In summary, if the presently prevailing theoretical, ideological, organizational, and operational foundations of conventional corrections are unsound, it would seem to follow that many of the present difficulties in corrections stem not so much from deficiencies in the numbers of personnel as from deficiencies in what the personnel are doing. If this is the case, then it is not

---

*Dr. Korn is assistant professor of criminology, University of California, Berkeley.*

merely the careerists who must be new or changed, but the careers as well. I should like briefly to suggest what some of these changes might be.

> *Ideological*: A transformation of the governing ethic from an ethic of revenge-through-disablement and mutual alienation into an ethic of mutual reconciliation based upon mutual restitution, including some system of compensation to the victims of crime. This ideological shift would be based on the moral recognition that guilt — and hence accountability — is social as well as individual, universal as well as isolable.
>
> *Theoretical*: Recognition of the fact that crime is a social as well as an individual product, and that necessary changes in the individual can be neither substitutes for nor alternatives to necessary remedial social changes.
>
> *Organizational*: Recognition of the fact that programs aimed at the promotion of self-sufficiency through acceptable exertion of individual initiative are incompatible with control through large-scale organizational structures whose sheer size and complexity must necessarily sacrifice autonomy at ground levels to system-needs of coordination. In such structures the "iron law of oligarchy" must be enforced as a condition of the system's survival. Though it is theoretically possible to locate and in some sense to individually "equalize" accountability, it has not been found possible to tolerate similar forms and latitudes of personal initiative. In this context a useful distinction might differentiate power-as-control from power-as-facilitation.
>
> *Operational*: Recognition that the kinds of techniques appropriate for the manipulation of materials and events in the physical world by the total control of external forces and internal situations may be inappropriate in programs whose goals include creativity and self-liberation. It would seem to follow from this that the reduction of the skills of human influence to a standardized technology which can be routinized and impersonally applied is inherently inimical to the interpersonal conditions of satisfying human relations. A person who makes it a profession to vend love-making skills impersonally to strangers is recognizably engaging in a mutual collusion known as prostitution. Persons who are engaged in the sale and purchase of friendship may be said to be involved in an equally voluntary and mutually rewarding collusion.[1] But when the transaction is not voluntary but obligatory, at least on one side, and where the rewards are not mutually apparent, the collusion reaches a level of inauthenticity and bad faith which can hardly avoid damaging the personal integrity of all concerned.

Summarizing the implications of this citation of suggested changes in correctional careers, it would appear that the work of the new careerist would, or should, be:

1. Community-based and internally autonomous rather than institution-based and bureaucratically controlled;
2. Informal and personal rather than formal and professional;
3. Evocative, enabling, and creative rather than repressive, inhibitory, corrective, or "therapeutic";
4. Mutually contractual rather than unilaterally obligatory.

One of the outstanding recommendations for the indigenous new careerist is that his typical life style already incorporates many of these attributes — attributes which have not been "trained out" of him by a process which "trains in" a professional incapacitation for dealing with others on mutually intimate terms.

Ironically, few, if any, of these suggested "innovations" are either radical or new. A program which in effect envisages an informally organized, unofficial system of correctional alternatives, paralleling but rarely intersecting the official system, has in fact operated for many years. At this moment it is none other than the program now employed by the well-to-do on behalf of their deviant members. The civil settlement of wrongs which could be prosecuted as crimes has long employed restitution to the victim as an alternative to imprisonment of the offender.

A wholly private and unofficial system of correctional treatment has long been available to the violent scions of the socially fortunate. In every middle-class and upper-class community there are psychiatrists specializing in the treatment of the errant youth of the well-heeled, frequently with the full approval of the police and judicial authorities. Should private out-patient treatment prove inadequate, there is a nationwide network of relatively exclusive residential facilities outside the home community. Every Sunday *The New York Times* publishes two pages of detailed advertisements by private boarding schools catering to the needs of "exceptional youth" who are "unreachable" by means of "conventional educational methods."

It would be wrong-headed and disingenuous to cite these facts as instances of dishonest official connivance with wealth or privilege. If anything, they reflect an honest recognition that the private, unofficial treatment of offenders is vastly superior to most available public programs. Keeping children out of reformatories is a widely approved and worthy objective, irrespective of whether the children are rich or poor. The scandal lies in the fact that such alternatives are denied to the poor, through nothing more deliberate than the incidental fact of their inferior economic position. The inequity of this situation provides one of the strongest moral grounds for overcoming it. Once it is recognized that the "new" approaches advocated for the correctional treatment of all are essentially similar to those already serving the well-to-do, the ethical argument for making these services universally available becomes virtually unassailable.

## Problems and Alternatives of Implementation

In considering the question of introducing change into a complex action system composed of many variable interacting elements, we must first identify the implicated power and interest groups in the field, and next specify their manifest and latent functions, their public and private agendas. At the state level, the forces operating in the universe within which correctional events are determined may be said to include the following: (1) the executive, his cabinet and inner political circle; (2) the legislature and the balance of power existing at any point between the minority and majority parties; (3) the judiciary; (4) the parole and probation authorities, if independent; (5) the correctional administration, headed typically by an appointed commissioner of corrections; (6) the electorate, consisting of the mass of private citizens but manifesting itself phenomenologically as something experienced as the "weight of public opinion"; (7) the communications media, including press, television, radio, public entertainment, best-sellers, and various highly visible "opinion leaders" as they are synthetically created or charismatically projected by the media.

In addition to these more visible power and interest groups, there are a few whose effects are more latent and diffuse. These would include: (8) the body of social scientists, both in and out of the academic world; (9) the professions, as represented by their guilds, such as the National Association of Social Workers, the American Psychiatric Association, and various correctional associations; (10) the law enforcement (police) establishments and their guilds. Finally, there are (11) the correctional consumers, the offenders. A brief characterization of the total thrust of each of these interest groups is attempted below.

1. *The governor and his inner circle.* For the chief executive the entire correctional apparatus (prisons, reformatories, etc.) is a necessary evil — a headache that verges from the nagging to the severe. There is little political mileage in well-run prisons but great political vulnerability in their mismanagement. The governor looks to his correctional administrators to run his prisons for him; they are the experts who must take the heat off him if things go wrong. Typically the governor wants a correctional administration that will keep costs down, keep peace and quiet in this area (keep out of the newspapers and partisan politics), and permit him to concentrate on more important matters.
2. *The legislature* breaks down into the different interests of the two parties. The "ins" share the worries and concerns of the governor. Like him, they keep a wary eye on the taxpayer, the newspapers, and the opposition party. The "outs" are always on the alert for a politically pregnant scandal; their twin banners — "soft on crime" and "prison mismanagement" — are rarely furled. As the temporarily unappreciated guardians of public morality against the insolence of office, the venality of power, they are watchdogs hungry for an exposed shinbone they can catch wandering in the public cabbage patch. With astute cultivation and inspired leadership, they can rise to higher (non-partisan) things, but only when the millennium is at hand.
3. *The judiciary* tends to protect itself from uncomfortable knowledge of penal conditions in its jurisdictions. A vague, pervasive feeling that "the prison does not work, even though it is necessary," a nagging sense of guilt about the men they send away for correction who are not corrected, a barrage of letters and writs from inmates claiming mistreatment — all of these things tend to make judges willing to let the experts run the prisons, provided that individual rights of inmates are not clearly breached. By and large, the judiciary has been willing to be inert in this area, responding only to the initiatives of others and then only in a narrowly legalistic context.
4. *Probation and parole authorities,* in addition to carrying out their own onerous duties, keep a wary eye on the press, on public opinion, on the opposition party, and on the state of institutional crowdedness. Particularly vulnerable to the accusation "soft on crime," their longer-range efforts are subject to temporary or permanent revision under

the pressure of critical incidents. Even thoroughly independent nonpartisan boards made up of prestigious community figures have their Achilles heel: their budgets. Boards vary in their dependency upon the advice of their professional staff, which in turn varies in response to the board members' attitudes and other influences. An imaginative and determined board, acting in cooperation with the judiciary, can serve as the source and sustainer of important innovations in corrections.

5. *The correctional establishment* is well aware that its principal mandate is, above all, to protect the executive and his party from political embarrassment by keeping the situation under control and out of the public arena. But an old saw has it that "the only way to keep out of politics is to play politics." Whether he wishes to or not, the commissioner must play the political game, if only to remain above it. The correctional administrator looks to his governor not for direction (which he will not get) but for protection and support. Quiet, economical housekeeping is his safest role. He can be the captain of his ship so long as no one rocks it and he is content to keep it moored to the dock. So long as he resists the temptation to take it anywhere, he can have a quiet, ceremonious voyage in port, entertaining visitors at the captain's table and conducting tours of the staterooms.

6. *The citizenry* is the most frequently invoked ultimate reason for any correctional action or inaction — and the least involved. Public opinion is the sacred cow that is always deferred to and almost never consulted. Used as a shield or weapon in the hands of others in the correctional arena, it is inert in itself until stirred. Those who seek to use it try to manufacture it. Those who fear it are half-aware that it is manufactured and despise it. Both may dangerously underestimate it.

   Two contradictory attitudes characterize the usual state of public opinion about crime and corrections. Citizens are "tough on criminals" but "soft on prisoners," hard on young hoodlums but soft on kids in jail.[2] The exploitation of one or the other of these available attitudes accounts for many of the pendulum swings in specific correctional systems. Typically, the shift occurs along the same single dimension of "hardness" versus "softness." An expose of harsh prison conditions may inaugurate the brief reign of a humanitarian and reformist administration; before long, drift, brought about by gradual disillusionment forced by awareness of the realities of prison life, or disaster brought about by misunderstanding or underestimating the inevitable opportunism and negativism of confined men, terminates the unlucky reign of reform and brings back the rule of repression. And so the pendulum swings, in one track, with public opinion as its weight. The shortness of public memory may permit these swings to convey the impression of progress or change for the better. But the movement is actually a negation of change, in that it merely restores an equilibrium — and once again, the illusion of progress functions as the barrier to progress.

7. *The communications media* are well aware that crime and corrections are lively sources of news and potential public issues. Many jour-

nalists are alive to the fact that the crucial determinants of correctional policies are political rather than scientific. Intuitively suspicious of any claim to superior morality or expertise, they have an inquiring nose for bodies buried under rhetorical flowers. Informed journalists have made distinguished contributions to public education about corrections; it is to be hoped that their future contributions will be more efficacious. Molders as well as reflectors of public opinion, they are not only the eyes and ears of the slumbering giant but they have the power to amplify the voice of his uneasy conscience as well. They have often roused him to furious reaction; they have not frequently informed him adequately enough about what action to take.

8. *The social scientist* has long enjoyed the privilege of criticizing corrections from a comfortably safe distance; only in recent times has he entered the field as a researcher, a participant observer, a consultant, and an innovator. His performance is too recent and too variable to permit summary characterization. Nevertheless, to this observer at least, the omens of promise are increasingly clouded with omens of foreboding. As the high priest of the victorious new religion of science, he may be treading too confidently into a place that has been the graveyard of too many hopes before him.

9. *The treatment professionals.* Once the glowing bride of corrections, treatment has long since turned into its nagging wife. Treatment personnel are the little old ladies of any institution; vanity, as much as anything else, keeps them from behaving as viragos in the public company of their husbands, the correctional administrators. In any case, administrators, like all other neglectful husbands, are useful scapegoats who can be blamed for the failure of the marriage.

   In common with other correctional employees, the professional is preoccupied with saving his own image in the face of his failure. Since the image was more flattering to begin with, the task of face-saving is more preoccupying, and the professional must, understandably, devote more time and effort to it. Within limits, he can do this by laying blame at the doors of the correctional administrator, the custodian, the politicians, and the public. With his celebrated gift of insight into the foibles of others, the professional, by and large, has apparently found himself unwanting — though unwanted. But he has been careful to contain his complaining within decorous limits. At this point the professional complainer tends to shift to his second role of martyr and long-suffering missionary. But the indifference and tolerant contempt in which most members of treatment staffs are held by most inmates testifies to inadequate ardor in this role as well. The inmates have learned that the typical therapist will be neither their champion nor their antagonist; the activities of treatment staffs are rarely significant enough to be cited in lists of inmate grievances. (It is the *lack* of treatment that is sometimes complained of, not its presence.) The prison therapist is often viewed as a professional snitch, a soft glove over the horny male hand of custody, or as an ear and voice to exploit in order to attain a recommendation for earlier release.

10. *Prevalent police attitudes* toward corrections are direct and straight-

forward; it is difficult to represent them in their disarming simplicity without seeming to engage in caricature. Prisons are good — especially when they are tough — because they punish the criminals caught by the police. But prisons become bad when they let criminals back into the street, where the police have to catch them all over again. Parole boards are especially bad because they let criminals out earlier than their maximum sentences ordain. Probation and parole officers are all right when they act like policemen but terrible when they act like counselors and friends.

Through the highly articulate voices of their guilds, policemen have given these attitudes an amplification which frequently arouses legislators and other vote-conscious officials to action. This action is invariably in the direction of increasing severity. As one of the more effective lobbyists for correctional retrogression, the police establishment must be reckoned with. The aspiring correctional innovator who refuses to engage it in dialogue does so to the detriment of his own cause.

Because the police feel neglected, they tend to be unexpectedly responsive to those who take the trouble to talk to them and who are courteous enough to listen in return. This observer has rarely found them unresponsive to a frank encounter in a dialogic situation. One has the impression that they would go along even when they disagreed, if they were shown the consideration of being consulted.

11. *The offenders* are the ultimate consumers of corrections and the ultimate determiners of its effectiveness. They are also the least consulted of all of the actors in the drama — and this fact, taken together with the former one, may point to a pervasive contributor to the general correctional dilemma. To paraphrase a noted phrasemaker: Rarely in the history of human endeavor has so little been asked of so many who might have so much to give. In a forthcoming paper, I attempt to suggest some of the possible consequences of this neglected opportunity:

> It is not to be wondered at that prisoners reject a situation which has essentially rejected them. The spontaneous human response to the denial of participation is subversion. Refusing to commit themselves to a program that they had no part in making, and which they cannot trust because it will not trust them, the collectivity of exiles, thrown back on their own resources, create an underground program of their own. The overriding purpose of this program is to enable them to re-assert the autonomy which the official program has denied them. But the assertion of initiative in a situation which forbids it is explicitly illegal. It follows, in the nature of the case, that the representative institutional situation gives the offender no alternative to the loss of his autonomy except that of continuing his career of law violation within the walls. The convicts have their own name for the program they create for themselves: they call it a School of Crime.[3]

What conclusions might be drawn from this model of the universe within which a state correctional system operates? To this observer they seem almost suspiciously self-evident.

1. Despite its authoritarian structure at internal local levels, the system as a whole is essentially directionless and uncontrolled. It is not merely without any consistent, sustained external direction. It is equally incapable of directing itself.
2. None of the many individual forces which are singly capable of disturbing the system is singly capable of moving it in any sustained direction or of initiating and maintaining any fundamental change.
3. Vulnerable to a bewildering variety of disequilibrating influences, the system is preponderantly occupied with maintaining its own internal balance by means of constant minor adjustments. Unguided (except on the level of rhetoric) by any coherent plan, these adjustments are made on the level of many microscopically local arrangements, unknown and invisible to higher administrative authorities. At all levels, administrative opportunism and defensive readjustment are the rule.
4. In the face of a loss of actual control, correctional administrators have learned how to simulate the appearance of control by anticipating the thrust of many forces and predicting their probable resolution. By then "ordering" the system to move in the foreordained direction, they can create the appearance of steering while actually doing little more than holding onto the wheel.

In an earlier outline of this paper I suggested a pervading tendency of defensive administration through which administrators would deliberately seek to neutralize innovation by seeking to limit its effects. I now believe I mistakenly assumed that these administrators possess more power than they actually have. It now appears to me that they typically have as little effect in attempting to prevent change as they have in seeking to promote it. It is the inertial character of the undirected system itself which tends to neutralize deliberate innovation, irrespective of whether the authorities wish to promote it or not. In a system which responds to the unknown and undirected operation of hundreds of uncoordinated internal and external pressures, many of which are apparent only to those directly in their path and most of which are invisible to higher administration, the effects of any deliberate innovation generated in one sector are bound to be overcome by the pervading effects of forces generated in other sectors and by the global movement of the system as a whole. It is like a man trying to melt an iceberg by setting a few fires on it. Whether the iceberg melts or not will have nothing to do with the fires and everything to do with whether the winds and ocean currents move the iceberg in a northerly or southerly direction.

In other words, the direction and character of the system cannot be changed by innovations which affect only parts of it. The danger confronting any reform is that the unreformed elements of the system will reduce the reform to a ritualized game and transform its ethic into a rhetoric. To the extent that the New Careers concept provides a genuine alternative to prevailing practices, it will have to (1) operate outside the conventional system, (2) transform the conventional system, or (3) suffer neutralization and cooptation by it.

In operational terms, a combination of structural and social-psychological processes joins to frustrate attempts by any present combination of agents to direct the correctional endeavor: (1) the ineluctably coercive, non-contractual character of the system as it bears upon the offender at ground level; (2) the restrictive character of administrative regulation which limits the options, destroys the spontaneity, and degrades the status of personnel working with the offender at ground level; (3) the hierarchical character and large-scale bureaucratic structure which seeks to coordinate control over the system and administrative regulation from a remote point, separated from both by many intervening levels of mediation, each of which contributes its own burden of uncontrolled variance to the overweighted edifice.

These effects typically produce a paradoxical end result. While severely limiting both creative and destructive initiatives, the system cannot eliminate them. Thus it fails to achieve its overall objective of coordinated control. Likewise, while failing to achieve the degree of self-direction and self-esteem necessary for a personal commitment to the program, the participants at ground level can still rescue enough initiative to resist the stultifying effects of total standardization, thereby blunting and distorting the thrust of the overall program.

A roughly analogous stalemate exists on the ideological level. The thrust of the humanitarian and reformative movements succeeded in undermining the monolithic powers of the custodial and security forces without succeeding in achieving the conditions required for effective treatment. The result is that the modern prisoner, though relatively freer within the walls, is in relatively greater danger from other inmates while at the same time remaining essentially without treatment. In the process, the real though brutal integrity of a frankly punitive ideology was replaced by the casuistry of the hollowest ritualistic pretence at treatment, thereby giving the prisoners irrefutable proof of the bad faith of their self-styled rehabilitators.

## Psychological Implications

The discussion thus far has confined itself to organizational and structural causes of correctional immobility. But at the ground level of interpersonal relations, this level of analysis becomes inadequate. As a change agent, the correctional innovator must deal with persons. And on the level of persons, social realities are experienced as personal realities.

Some years ago a former ward attendant described his own gradual desensitization and dehumanization while working in a mental hospital. After drawing several chilling parallels between the insane asylum and the Nazi death camp, he raised an interesting question. Why, after repeated exposes of inhuman conditions, do these conditions persist? How is it possible for those working in the asylum to continue?

> The simple factor that seems to explain the phenomenon might be called "getting used to things." The longer an attendant works at the asylum, the longer a man works at the death camp, the more indifferent does he become to the business at hand, the more mechanical and unemotional become his murderous operations. "It was bad at first, *but we got used to it,*" said the paymaster at the Nazi death camp. That death is the product of these operations makes not the least bit of difference psychologically. Men who handle the dead daily —

morticians, doctors, gravediggers, butchers, soldiers — are traditionally unconcerned with their merchandise, while the uninitiated citizen or child is shocked by sight of the corpse.[4]

Psychologists have a word for this process: adaptation. The phenomenon seems to be universal and readily demonstrable, even on a physiological level. When one first puts his hand into hot water, the sensation of warmth is intense. But the longer one leaves his hand in the water, the less he feels the heat. The ability to experience it can be restored only by withdrawing the hand and then re-immersing it. One consequence of this process is paradoxical in the extreme. Under certain conditions, the longer one does the same thing in the same way in the same place, the less one may experience it, the less one may know what is actually taking place. Thus unrelieved, uncontrasted exposure to the same reality may ultimately deaden the sense of reality itself.

The phenomenon of social and moral adaptation and the concurrent weakening of perception is abundantly documented in the myths which come to be accepted as realities by workers in many fields. There are policemen who conscientiously believe that the skulls of black persons are literally harder — as well as thicker — than the skulls of white people. (Therefore you have to hit them a little harder.) There are old prison hands who insist that many prisoners actually prefer life within the walls to life outside.

The defensive character of these projections of insensitivity by staff to clients seems clear enough. In order to protect oneself from the internalization of one's mistreatment of another, it is useful to think of him as essentially different. Any lingering sense of identification opens the door to compassion and unsteels the heart; empathy for the victim must be prevented by a constant nurturing of the sense of difference. The subjective, sentimental layman might not be able to maintain this sense of difference. The "real pro," steeped in his unique expertise and deadened by the adaptation syndrome, can be counted on to function without the disabling interference of moral revulsion.

The isolation of the correctional establishment within its own frame of reference may be the principal reason why a system committed to the reformation of others not only fails in its major task but is unable to reform itself. The invalid attribution of exclusive expertise, the exclusion of the ordinary citizen's indispensable contribution and the exclusion of the offender's meaningful participation in his own rehabilitation create a situation in which those most dependent on one another for success have been isolated or alienated from each other. The same causes which prevent corrections from achieving its mission prevent it from reforming itself.

## An Approach to Implementation

In the face of the crisis created by a correctional apparatus which can neither direct nor correct itself, it seems essential that the other interest groups possessing latent but unexerted influence be dynamically re-introduced into the universe. These groups would include, above all, the citizenry, the responsible members of the communications media, and the offenders. In this reform-and-rescue operation, the legislature and the judiciary have indispensable roles to play as well. Finally, once the executive has liberated himself from the legend that any group of experts can do the job themselves — and once the experts have freed each other of the same notion — each can cooperate with the other in an atmosphere in which honesty has been restored and mistakes, being acknowledged, can be corrected.

To accomplish these objectives, a massive and intensive program of re-education is indispensable for all concerned. Experience with traditionally abstract techniques of lecture-and-book teaching suggests that this re-education must have considerably more impact than any used heretofore. The writer and his associates have recently participated in an experiment in which more intensive methods of re-education were tested on a participating audience containing all of the actors in the correctional drama. This eight-day workshop experiment brought convicts, judges, citizens, policemen, prosecutors, probation officers, professionals, and correctional officers together for a sustained series of encounters in which they could test and discard their stereotypes, exchange their roles, and, above all, confirm and acknowledge their mutual sincerity and vastly intensify their motivation. It is described in Appendix B. At this juncture I will merely attempt to extract some operational principles as guides for future practice in such sessions.

1. The re-education process must maximize the personal internalization of feedback by bringing all participants into a no-holds-barred encounter which continues until mutual misconceptions are worked through and good faith is demonstrated by the frank exposure and genuine resolution of differences.
2. The program must involve all those in a position either to initiate change or to impede it and those who could be influential in promoting change but are currently indifferent.
3. The participants should emerge with an articulated plan for concerted action, after which they should move toward concrete preparations for implementing their plan. Ideally, the same persons who participated in the planning should be associated in attempting to carry it through.
4. The program should be implemented in a situation in which change can be independently initiated and sustained. The participants should operate in a community or region which is large enough to sustain their efforts and yet small enough for their innovations to pervade the implicated universe as a whole.
5. The retroflexive model of human influence should be employed. In this model, the participants develop their programs in concert both with those who would administer them and those who would be served by them. People listen most closely to what they themselves say; men are most committed to what they themselves had a hand in making.
6. Although the initial "faculty members" (resource persons) must be drawn from sources other than the participants, future workshop programs should recruit their leaders from former participants.

A variety of procedure is available for the recruitment and circulation of the participants through the various phases of the total program. Selected offenders might be offered fellowships to participate as trainees (workshop members) and later they would work with other participants (judges, probation officers, etc.) in an action program designed by all. Ultimately they would return as members of the faculty or members of the selection committee recruiting for new workshops.

There is one additional implication which probably requires mention. All categories of participants in programs of this kind are "new careerists." A hitherto uninvolved judge who returns to his community intent on establishing support for a new kind of program is embarking on a new career; he is doing something he did not do before. A policeman who returns to his community to participate in a "peace patrol" organized by and for the ghetto is taking on a new career. The same is true of the prosecutor who throws his weight behind a program of release on recognizance for qualifying defendants hitherto unable to raise bail. Perhaps the point to make is that the new career of the ex-offender would never survive unless the old careers were enriched as well.

One last point. Should we decide to pursue something like this as the main chance, it might be well for us to stop wasting our energies and breaking our hearts trying to cajole the traditional correctional establishment to set up little "demonstration projects" here and there on the periphery of their massive human stockyards. To scatter our efforts and waste our impetus on such projects can only dishearten us. We will have once more to stand helplessly by and watch our wild horses led, like broken draft cattle, to the shambles.

## References

[1] In this connection see William Schofield, *Psychotherapy, The Purchase of Friendship* (Englewood Cliffs, N. J.: Prentice-Hall, Inc., 1964).

[2] See the recent survey of public opinion reported in *The Public Looks at Crime and Corrections* (Washington: Joint Commission on Correctional Manpower and Training, 1968).

[3] Richard R. Korn, "Correctional Innovation and the Dilemma of Change-From-Within," *Canadian Journal of Corrections*, July 1968.

[4] Harold Orlans, "An American Death Camp" in Bernard Rosenberg and others, eds., *Mass Society in Crisis* (New York: Macmillan, 1964), p. 624.

* * *

# SOME OBSERVATIONS ON THE SEMINAR

Thomas F. Courtless

The agenda of this seminar calls for a summary. But, for me at least, it is physically and intellectually impossible to summarize six papers and two days of discussion. What I shall do instead is take a minute or two to talk to you about what I observed. I have been sitting up here peacefully taking notes, and my fingers are very stiff now. I haven't had to get on the firing line so to speak, but I have some observations that may be useful.

I am in a sense a layman in terms of New Careers. I am a criminologist, but I am what might be called an academic criminologist. I worked for five years in a penal institution. We did not have any New Careers type of program there. We did have inmates as teachers in a school program, as kitchen workers, and in other such jobs. I have done some reading in this area, but I will admit that it has not been exhaustive. With this general statement of my personal position, I thought I might try to sum up some of what I have heard and to leave with you a few questions that the seminar has raised in my mind during these two days.

We have heard about some of the results — the preliminary and not-so-preliminary results — of the efforts in the New Careers area. Some of the results do seem to indicate success, given the rather differential definitions of "success" that we use from time to time in corrections.

We have also heard about the search for effective models or strategies that we might use in this New Careers effort, models or strategies that will bypass the roadblocks posed by what I might call the historical development in penological theory on the one hand, and on the other hand by the structural and functional characteristics of the formal or complex organizations of corrections. · We have also heard much discussion about the business of the correctional apparatus and its many publics. We have learned that it is owned by a variety of publics or interest groups. We have gained insight into how we might somehow fit a New Careers program into this complex organizational structure.

I still have some questions, some of them raised by the participant observers here and some by myself. I hope no one will take these as representing an apologia for any particular group, but simply as the questions that come to my mind at the end of these two days.

First, in the political-legal area, some participants have raised the issue of legal restrictions and administrative regulations on the practicality of the New Careers movement. Others have said that perhaps we are not really bound in by our restrictions or regulations, that the problems in this general area are a failure to communicate our objectives to the legal and political community, and a lack of confidence in the products of our own correctional efforts which permit, and almost require, us to use existing legal and administration restrictions as convenient rationalizations for inaction. Is this, in fact,

---

*Dr. Courtless, who served as chairman of the seminar, is associate professor of law and sociology, Institute of Law, Psychiatry, and Criminology, George Washington University.*

the case? Do legal and administrative restrictions really serve merely as rationalizations for inaction?

In the implementation area, I think there is a real problem at this stage in the development of the New Careers concept. It is a problem relating to the imprecision of our definitions — our definitions of the appropriate objectives and strategies in this area. The crucial questions here seem to be: What do we want? Do we want to reduce the recidivism of the new careerist, his client, both? Research findings indicate that these objectives may be attainable. Or are we interested in something else, a more profound objective, a movement, an ideology? Is this our objective, to create something? Or are we mainly interested in a major alteration in the socio-cultural basis of society?

I want to bring all of this into what has been said here because I believe it goes right to some of the issues lying beneath the surface of our discussions. For example, because of this imprecision, I sometimes wonder whether what we perceive, and attack as defensiveness on the part of those we have labeled here as "professionals," may not frequently turn out to be something else. If we have definitions, if we have principles — well, let's communicate these to the professionals. What messages have we attempted to send?

A good deal of my background has been in historical criminology and penology. What is currently being proposed in the name of corrections reminds me too often of some of the historical developments in penology in this country. During this history there have been new ideas; many of them were tried in practice and many failed. They were often improperly thought out in advance, but they frequently seem to have been burdened with faulty objectives or goals. We may once have started with a somewhat clear picture of what a Pennsylvania system of incarceration ought to do. But eventually we got a system of incarceration in which we have at least three conflicting ideologies or objectives — suffering, restraint, and rehabilitation — all of which are supposed somehow to get along in one system. Will *we* not run the same risk of ending up in the same boat if we don't precisely define our objectives and thus arrive at rational strategies and models? Won't *we* run the risk of somebody saying, "Well, we've got a New Careers movement, whatever that really means, and now it's time for something else"? The first thing you know we will be off on another kick, a fad; not group counseling in prisons, not New Careers any more, but something else again.

I hate to leave you with some of the questions I have, but I do have them. I'm sorry that I have no time to allot for rebuttal of the points I've made. Perhaps they will be material for further discussions of New Careers.

~

# APPENDIX A

## EMPLOYMENT OF OFFENDERS AND EX-OFFENDERS IN AMERICAN CORRECTIONAL PROGRAMS, 1967

The following tables summarize information reported by correctional program heads to the Joint Commission on Correctional Manpower and Training in 1967.

Table 1.—EMPLOYMENT OF OFFENDERS AND EX-OFFENDERS* IN STATE CORRECTIONAL INSTITUTIONS, AS REPORTED BY STATE CENTRAL OFFICES FOR INSTITUTIONS, 1967

| Central Offices Reporting– | Adult Central Offices | | Combined Adult and Juvenile Central Offices | | Juvenile Central Offices | |
|---|---|---|---|---|---|---|
| | Probationers and Parolees | Ex-offenders | Probationers and Parolees | Ex-offenders | Probationers and Parolees | Ex-offenders |
| Restrictions on hiring: | | | | | | |
| Legal restrictions | 4 | 2 | 3 | 3 | 1 | 6 |
| Policy restrictions | 10 | 9 | 10 | 7 | 10 | 6 |
| Ability to hire offenders | 8 | 11 | 8 | 12 | 13 | 14 |
| Employment of offenders and ex-offenders | 7 | | 9 | | 6 | |

Source: Reports from 24 central offices for adult institutions only, 21 combined central offices for adult and juvenile institutions, and 26 central offices for juvenile institutions only, as of August 17, 1967.

*Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.

### Table 2.—STATE ADULT AND JUVENILE INSTITUTIONS UTILIZING OFFENDERS AND EX-OFFENDERS* IN SPECIFIED ACTIVITIES, 1967

| Activity | Juvenile Institutions Utilizing– | | | Adult Institutions Utilizing– | | |
|---|---|---|---|---|---|---|
| | Inmates | Probationers and Parolees | Ex-offenders | Inmates | Probationers and Parolees | Ex-offenders |
| Teaching Academic or Vocational Programs | 3 | 0 | 2 | 75 | 3 | 7 |
| Leadership in Recreation Programs | 28 | 0 | 3 | 75 | 2 | 1 |
| Leadership in Rehabilitation Programs | 12 | 1 | 3 | 32 | 8 | 10 |
| Assistance in Research Projects | 13 | 1 | 2 | 36 | 0 | 1 |
| Interviewing New Inmates | 8 | 0 | 0 | 29 | 0 | 1 |
| Leadership in Pre-Release Programs | 11 | 1 | 3 | 13 | 12 | 12 |

Source: Reports from 227 adult institutions for the year preceding September 1, 1967; from 234 juvenile institutions for the year preceding March 1, 1967.

*Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.

Table 3.—STATE PROBATION AND PAROLE AGENCIES UTILIZING OFFENDERS AND EX-OFFENDERS* IN SPECIFIED ACTIVITIES, 1967

| Activity | Probation and Parole Agencies Utilizing – | |
|---|---|---|
| | Probationers and Parolees | Ex-offenders |
| Teaching or Leadership in Recreation Programs | 0 | 1 |
| Leadership in Rehabilitation Programs | 5 | 4 |
| Assistance in Research Projects | 2 | 1 |
| Interviewing New Probationers/Parolees | 2 | 1 |
| Leadership in Pre-Release Programs | 7 | 5 |
| Clerical and Other Support Functions | 2 | 3 |

Source: Reports from 7 state probation agencies, 49 state parole agencies, and 42 state parole and probation agencies combined, as of March 1, 1967.

*Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.

## Table 4.—EMPLOYMENT OF OFFENDERS AND EX-OFFENDERS* IN JUVENILE DETENTION FACILITIES, 1967

| Juvenile Detention Facilities Reporting– | Number of Juvenile Detention Facilities Employing– | |
|---|---|---|
| | Probationers and Parolees | Ex-offenders |
| Restrictions on hiring offenders and ex-offenders: | | |
| Legal restrictions | 24 | 31 |
| Policy restrictions | 163 | 145 |
| Ability to hire offenders and ex-offenders | 30 | 41 |

Source: Reports from 223 juvenile detention facilities, for the year preceding September 1, 1967.

***Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.**

## Table 5.—EMPLOYMENT OF OFFENDERS AND EX-OFFENDERS* IN LOCAL PROBATION AGENCIES, 1967

| Local Probation Agencies Reporting– | Number of Local Probation Agencies Employing– | |
|---|---|---|
| | Probationers and Parolees | Ex-offenders |
| Restrictions on hiring offenders and ex-offenders: | | |
| Legal restrictions | 58 | 72 |
| Policy restrictions | 247 | 229 |
| Ability to hire offenders and ex-offenders | 60 | 70 |

Source: Reports from 422 local probation agencies for the year preceding September 1, 1967.

***Anyone who has been previously discharged, paroled, or placed on probation and is now free from legal supervision.**

# APPENDIX B

## IF PRISONERS COULD TALK TO JUDGES

Laurance M. Hyde, Jr.

*Could* judges, prisoners, citizens, legislators, police, prosecutors, and correctional workers meet to discuss crime and punishment? *Would* anything of value come from a meeting of this type? *Should* this kind of meeting and discussion be held? Just a conference was held last fall!

Its uniqueness is best seen by a listing of the numerical categories of the participants. They were:

35 state trial judges from 26 states
7 police officers
6 probation and parole officers
4 prosecutors
1 public defender
6 correctional officers
6 private citizens

Not such an unusual group — so far — but its character was entirely changed from a rather standard conference for the exchange of ideas among several disciplines, to a dynamic examination of our corrections system by the addition of the ultimate consumer of that system. The final group sparked that change. They were eighteen convicts, including three lifers, presently serving time in Nevada State Prison. Their offenses range from embezzlement to murder.

They were valuable members of the conference.

The nine-day session took place September 8 through 16, 1967, on the Presbyterian Conference Grounds at Zephyr Cove, Nevada. The grounds are on the shore of one of the world's biggest high altitude lakes and surely one of the outstanding scenic beauties of the world. Lake Tahoe lies across some twenty-seven miles of the borderline between northern California and northern Nevada, midst the alpine setting of the high Sierras.

The Conference was funded by a grant from the Max C. Fleischmann Foundation of Nevada. It was arranged by the National College of State Trial Judges in consultation with the Berkeley Associates, who also provided resource personnel including the conference director, Richard Korn, Ph.D., Professor of Criminology at the University of California at Berkeley.

### The Conference Begins

The conference was formally under way on Saturday morning. The prisoners were to arrive right after lunch. This initial morning session utilized psychodrama as a tool to explore the feelings that nearly all of us had about the confrontation that would take place upon arrival of the prisoners and which would continue throughout the week. Some of us were concerned about our own ability to be honest with this group of people which we felt

---

This article, which appeared in the February 1968 issue of *Judicature*, is reproduced here with the permission of the editors and the author. Judge Hyde, who formerly served on the Circuit Court of Missouri at St. Louis, is now dean of the National College of State Trial Judges.

would be so different from ourselves. There was some feeling of nervousness, of possible danger. Many were concerned that the prisoners, either through fear of reprisals upon return to the penitentiary or through hope for some gain, would not be honest with us. The convicts had undergone the same procedure a few days before the conference began. I think we were all a little relieved to have this subject openly discussed and it helped us with some of our concerns, but did not entirely remove them. These concerns did disappear, but only after a few days of direct contact between the two groups.

The conference really got under way when a small yellow school bus ground its way down the rocky mountain road to the edge of the Lake. Eighteen convicts and six guards filed out of the bus. The convicts looked about them, taking in the snow-capped peaks, the majestic pines and the startling blue of Tahoe's waters. For some, this was the first walk outside prison walls in years.

Everyone was soon assembled in an amphitheater. The psychodrama, a confrontation of personalities between a judge and a prisoner, was again utilized. This was to get everyone involved and to help them to "open up."

Following the general meeting, the participants were divided into small groups. These small groups were the heart of the conference and each group contained six judges, three convicts, and one representative from each of the other groups involved. Here is where the barriers came down. The general sessions which fed us ideas from outstanding authorities on corrections, including Walter Dunbar, Chairman, United States Board of Parole, Paul Keve, Commissioner of the Minnesota Department of Corrections, and Judge Richard J. Simms of the California Court of Appeals, contributed to this process, as did psychodrama, which was used from time to time to stimulate what we came to call "gut level" communication. This exchange contributed to destroying the barriers, but it actually occurred in the small groups. It was evident in a number of ways overt and covert. At first, in the coffee breaks, the "cons," as they preferred to be called, pretty much talked to each other and the free citizens did the same. The mingling that occurred was a little stilted, a bit guarded. But we were getting to know each other. We were getting to realize that all of us are "phonies" in one way or another to some degree and the real question is: can we put aside our phoniness when we need to and want to? Can we honestly say what we really believe without trying to fool others or ourselves, without trying to look good either for others or ourselves, and without excessive concern about hurting someone else's feelings? It's a pretty tough order, but this is what we meant by "gut level" communication. This was what all of us recognized must be achieved if the conference was to come even close to realizing its full potential. I am convinced that each conferee really tried. I am also convinced that each conferee succeeded, of course, some to a greater degree than others.

### A Turning Point

On the fourth day of the conference, Tuesday, the convicts were hosts to the rest of the participants. We were divided into two groups and bussed to the two facilities of the Nevada State Penitentiary system, which are located in Carson City, Nevada, some twenty-five miles from our conference site. One group went to the minimum security unit — another to the maximum security unit. The gates were closed behind us and we were given total and unsupervised free reign. I don't know of any other maximum security penitentiary that has permitted this kind of scrutiny by such a group. Our only guides were convicts. We could talk with any prisoner on any subject without restriction. Those in the yard could talk privately to us; those in disciplinary cells could say whatever they pleased. One judge found an obviously intelligent and articulate, but bitter young man in the disciplinary cell who was born and reared in the county immediately adjacent to the judge's jurisdiction. He quite unemotionally informed the judge of the names of the people back home he would kill if given an opportunity.

Our knowledgeable convict guide pointed out another young man in a disciplinary cell whom he said was there on a "doughnut beef, with a sandwich prior." Most of us had become, by this time, sufficiently "con wise" to be able to translate this. He had violated the prison regulation against carrying food from the mess hall by slipping a doughnut out in his pocket. Since he had previously been caught taking out a sandwich, he was given a week in a disciplinary cell.

I left the prison, and I think many others did too, wondering how I had ever gotten the notion that spending a year locked up, or three years, or twenty years, might improve a man's character and make him a better citizen. We returned to our conference tables with new insight as to the penal system as it really is, with a feeling that it has failed and with a desire to examine alternatives to see if there is a better way, at least for some and perhaps for most of the people who have committed felonies; a way that will come closer to achieving society's goal of correction and rehabilitation.

The opportunity to spend an entire day in a state penitentiary, viewing it through eyes which had now attained some empathy with the prisoners, was an entirely different experience from the usual guided penitentiary tour.

Four of our group had volunteered to go through the normal processing that is given a new convict upon his arrival into the state penal system. Even those who had experienced World War II military induction were shocked by the extent of dehumanizing influence of the penitentiary process. This does not reflect either expressed or implied criticism of the administration and personnel of the Nevada State Penitentiary. Most of us had had sufficient knowledge of penitentiary practices in other states to recognize that the Nevada Penitentiary is like many of them — short on budget and therefore on facilities and programs, but within that limitation is an extremely well administered system.

We have only the highest praise for Warden Carl Hocker who had the courage to permit the involvement of eighteen men entrusted to his custody as well as the inspection of the facilities under his supervision, and therefore made the conference possible. He had the foresight to see that a conference of this sort was a necessary prelude to understanding by governmental officials indirectly working with the corrections system, let alone for understanding by the general public of the problems facing correctional authorities today. After our prison visit, a different atmosphere settled over the conference as we returned to our task and began to earnestly examine and evaluate alternatives.

### Insight Gained

The conference was not expected to, and it did not, arrive at concrete recommendations to be made through our legislators and governors, or even to our fellow judges, prosecutors, parole officers, etc., although a consensus statement was issued. The conference's major value was in the insight gained by the members of the conference to the corrections process. Never again will the prisoner members of the conference be able to quite so blithely or glibly stereotype cops, or prosecutors, or judges or the other groups represented at the conference. On the other hand, never again will the cops, judges, and others be quite so inclined to tar all law violators with one broad brush.

The conference will have a lasting impact upon the people who participated and if it is followed up by state or regional conferences, it can have a spreading impact and will make a real contribution to the improvement of our corrections system. *We were able, and subsequent conferences will also be able, to break down barriers between groups who have never really communicated before.* These groups have a common goal and that is to take a long, hard, clear, honest look at our system of corrections and determine its strengths as well as its weaknesses. Then we can honestly look at the alternatives available. I commend this kind of program to every jurisdiction in the nation and offer the assistance and cooperation of the National College of State Trial Judges in conducting them. I am firmly convinced that real progress will be the result.

### Publications Committee Report

The following issues were raised and discussed by one or more of the smaller groups at the Workshop, or by the Workshop as a whole. No attempt was made to reach final consensus for or against any proposition; however, it is the consensus of the participants that each merits further study.

I. PROCEDURAL

1. Detainers are proper, but as presently used, are detrimental to defendants. Defendants are entitled to timely notice of all holds, so that defendants may waive or demand immediate disposition. Merger of all offenses in one proceeding is consistent with rehabilitation.
2. Judicial type hearings should be guaranteed a parolee before revocation is effected. The parolee should have the right to counsel and subpoena power.
3. Reasonable means to completely expunge criminal records should be sought.
4. We should consider means of deferring conviction, so that after successful probation, a criminal record could be avoided.
5. Probation eligibility should be broadened to include all types of crimes and should also be available to multiple offenders.
6. Release on recognizance procedures should be more liberally employed.
7. While indeterminate sentencing can have rehabilitative effect, flat time sentences can have specific benefits in certain cases.
8. Uniform sentencing practices should be put into broader use.
9. The judge's retention of sentencing power should be evaluated.

II. PRISON REFORMS

10. Liberalization of prison mail censorship and visitation privileges consistent with reasonable security.

11. Prisons should include experiences and training in areas which prepare convicts for the free competitive community. These experiences should include work release, vocational training, home leaves, and responsible decision making opportunities.
12. Efforts should be made to transform the negative prison sub-culture into a tool of rehabilitation.
13. Ways should be found to humanize the processes of arrest, conviction and correction.
14. We encourage experimentation with penal administration by private contractors.
15. States should develop regional diagnostic and incarceration centers and encourage visiting by families and their participation in the institution's rehabilitative programs.
16. The use of correctional institutions as training centers for anti-crime programs and the testing of prevention programs (creation of a laboratory).

## III. CORRECTIONAL MANPOWER

17. To overcome the critical shortages of behavioral sciences manpower, behavioral sciences should launch educational programs to train those presently employed in corrections, as well as promising convicts who may be added to the correctional manpower resources which remain untapped.
18. Convicts' and ex-convicts' self-help and mutual-help group programs, in and out of correctional institutions, should be encouraged and statutes prohibiting consorting among ex-convicts should be modified accordingly.

## IV. PROGRAM GAPS

19. Community treatment is generally superior to institutional treatment and should be encouraged.
20. Stress public relations programs aimed at delinquency and crime prevention at the public school level, using many of those presently incarcerated as speakers and prevention personnel.
21. Probation at the local level should be expanded. Encourage the development of half-way houses for certain probationers and, similarly, for parolees.
22. First offenders should be provided an expanded array of intensive diagnostic and rehabilitative services at the local level while on probation.
23. Restitution as an alternative to incarceration should, among others, include these elements:
    a. Restitution in the form of moral services.
    b. Reimbursement by the State to injured victims of crimes.
    c. Direct confrontation (under controlled circumstances) of the victim and offender.
24. The State should sponsor fidelity bonds to employers to help promote parolee employment opportunities.
25. Encouragement of the reintroduction of the private citizen into correctional operations and decision making councils.

26. Repeal of laws prohibiting public employment of ex-convicts.
27. Removal of social and medical problems as subjects for criminal codes.
28. The development of more alternatives to incarceration. Work furloughs should be encouraged.

### V. FUTURE

29. Conferences like this one should be replicated and include other sectors of the community such as legislators, industrialists, and other opinion leaders. The public has to be more involved in the administration of criminal justice and corrections. The ideas emanating from the conference should be perpetuated in the local communities through the participants' involvement in efforts to positively modify correctional programs in their own local communities.
30. Suggestions to the National College of State Trial Judges:
    - a. All conferees at this type of conference should be full and equal participants, not merely resources to the judge.
    - b. Every conferee is entitled to all publications emerging from this conference.
    - c. This conference represents an excellent beginning in communications between those involved in the process of administering criminal justice. Other conferences like it should be held, with convict participation.

* * *

# APPENDIX C

## BIBLIOGRAPHY ON NEW CAREERS AND THE NONPROFESSIONAL IN THE HUMAN SERVICES

### I. New Careers in Corrections

Benjamin, Judith, Freedman, Marcia, and Lynton, Edith. *Pros and Cons: New Careers for Nonprofessionals in Corrections.* Office of Juvenile Delinquency and Youth Development, U. S. Department of Health, Education, and Welfare. Washington: U. S. Government Printing Office, 1966.

Clarke, Daniel P. *An Exploration of Intensive Aftercare Services and Peer Leadership Development: Final Report of the Lewissohn Aftercare Treatment Project.* Albany: New York State Division for Youth, 1966.

Cressey, Donald R. "Changing Criminals: The Application of the Theory of Differential Association," *American Journal of Sociology,* LXI (1955), 116-120.

__________. "Contradictory Theories in Correctional Group Therapy Programs," *Federal Probation,* XVIII (1954), 20-26.

__________. "Social Psychological Foundation for Using Criminals in the Rehabilitation of Criminals," *Journal of Research in Crime and Delinquency,* II (1965), 49-59.

__________. "Theoretical Foundations for Using Criminals in the Rehabilitation of Criminals" in *The Future of Imprisonment in a Free Society.* Chicago: St. Leonard's House, 1965.

Cressey, Donald R. and Sutherland, Edwin H. *Principles of Criminology.* 7th ed. Philadelphia: Lippincott, 1966, pp. 378-380, 548-557, 675-680.

D'Angeli, Mario. *Youth Leadership Training Project, San Francisco State College: Final Report.* Office of Juvenile Delinquency and Youth Development, U. S. Department of Health, Education, and Welfare. Washington: The Office, 1965.

Deitch, David and Casriel, Daniel. "The Role of the Ex-Addict in the Treatment of Addiction," *Federal Probation,* XXXI (1967), 45-48.

Dye, Larry L. "Orientation Program: Community Resources Unit, New Careers Development Project." Paper prepared for Sacramento Parole and Community Services Division, California Department of Correction, December 1966.

Empey, LaMar T. *Alternatives to Incarceration.* Office of Juvenile Delinquency and Youth Development Studies in Delinquency. Washington: U. S. Government Printing Office, 1967.

__________. "Role of Social Reconstruction in the Reintegration of the Offender" in *Law Enforcement Science and Technology,* S. A. Yefsky, ed. Washington: Thompson Book Co., 1967.

Empey, LaMar T., Erickson, Maynard L., and Scott, Max L. *The Provo Experiment in Delinquency Rehabilitation: Fifth Annual Progress Report.* Provo, Utah: Brigham Young University, 1964.

*Experiment in Culture Expansion*. Proceedings of a conference on The Use of Products of a Social Problem in Coping with the Problem, California Rehabilitation Center, Norco, Calif., July 10-12, 1963.

Geis, Gilbert, Munns, John G., and Bullington, Bruce. "Ex-Addicts as Streetworkers: The Boyle Heights Narcotics Prevention Project." Paper presented to the Pacific Sociological Society, March 22, 1968.

Grant, J. D. "The Changing Professional Role in Manpower Utilization." Paper presented at the Seventh Annual Institute for Social Workers, Los Angeles, May 9, 1967.

__________. "Changing Times and Our Institutions: or Participants, not Recipients" in *Readings in Correctional Change*. Austin, Texas: Southwest Center for Law and the Behavioral Sciences, University of Texas School of Law, 1967.

__________. *A Strategy for New Careers Development*. Sacramento: California Youth and Adult Corrections Agency, 1964.

__________. "New Careers Development in the Change Agent Field," *Journal of the California Probation, Parole and Correctional Association*, III (1966), 18-22.

__________. "The Offender as a Correctional Manpower Resource." Paper presented at the First National Symposium on Law Enforcement, Science and Technology, Illinois Institute of Technology, Chicago, March 9, 1967.

__________. "The Offender as Participant, not Recipient, in the Correctional Process," *Canadian Journal of Corrections*, IX (1967), 234-242.

__________. "The Psychologist as an Agent for Scientific Approaches to Social Change" in *Progress in Clinical Psychology*, Abt, L. and Riess, T., eds. New York: Grune and Stratton, 1966.

Grant, J. D. and Grant, Joan H. *New Careers Developemnt Project: Final Report*. Sacramento: Institute for the Study of Crime and Delinquency, 1967.

Grant, J. D. and Grant, Joan H. "Staff and Client Participation: A New Approach to Correctional Research," *Nebraska Law Review*, XLV (1966), 702-716.

Grant, J. D. and Specht, Harry. "Social Policy Formulation: A Social Process." Paper prepared for conference on use of nonprofessionals in mental health work, Washington, D. C., May 1967.

Jackson, Kenneth R. and Briggs, Dennie L. "Developing New Careers in Education: An Alternative to Confinement." Paper presented at a conference on The Impact and Process of Juvenile Confinement, School of Criminology, University of California, Berkeley, Calif., May 1965.

James, Michael, Lester, Edmond, and Royer, Charles. *Retrospective Analysis of the Pilot Study*. New Careers Development Project, California Medical Facility, Vacaville, Calif. Sacramento: Institute for the Study of Crime and Delinquency, 1965.

Liebert, Leon G. "The Use of Nonprofessionals and Service Volunteers in Corrections." Paper prepared for Draper Conference on Manpower Development and Training in Correctional Programs, Montgomery, Alabama, May 1967.

Liebert, Lisa. *Police-Community Relations and the Role of the Nonprofes-*

*sional*. New York: New Careers Development Center, New York University, January 1968.

McCorkle, Lloyd W. and Korn, Richard. "Resocialization within Walls," *Annals of the American Academy of Political and Social Science*, CCXCIII (1954), 88-98.

Mock, Samuel D. "From Trouble-Makers to Trouble-Shooters: New Careers in Corrections." Proposal prepared by Human Resources Foundation of San Diego, Inc.

*The Offender: An Answer to the Correctional Manpower Crisis*. Proceedings of a workshop on The Offender as a Correctional Manpower Resource: Its Implementation. Asilomar, Calif., September 8-10, 1966. Sacramento: Institute for the Study of Crime and Delinquency, 1966.

*The Offender as a Correctional Manpower Resource*. Sacramento: Institute for Study of Crime and Delinquency, 1966.

Toch, Hans. "The Study of Man: The Convict as Researcher," *Trans-Action*, IV (1967), 72-75.

Volkman, Rita and Cressey, Donald R. "Differential Association and the Rehabilitation of Criminals" in *The Future of Imprisonment in a Free Society*. Chicago: St. Leonard's House, 1965.

## II. The Nonprofessional in the Human Services

Barr, Sherman. *Some Observations on the Practice of Indigenous Nonprofessional Workers*. New York: Mobilization for Youth, 1966.

Brager, George. *The Low-Income Nonprofessional: An Overview of His Role in Program*. New York: Mobilization for Youth, 1964.

Bratton, Willie V. *Utilization of Auxiliary Personnel Assigned to Social Service in Public and Voluntary Social Agencies*. Washington: U. S. Department of Health, Education, and Welfare, 1963.

Bredemeier, Harry C. *Suggestions to Communities for Participation in the War on Poverty*. New Brunswick, N. J.: Rutgers State University, Urban Studies Center, 1964.

Center for Youth and Community Studies, Howard University. *Training for New Careers: Community Apprentice Program*. Washington: The Center, 1965.

Day, Max and Robinson, Alice M. "Training Aides through Group Techniques," *Nursing Outlook*, II (1954), 308-310.

*A Design for Large-Scale Training of Subprofessionals*. Training Laboratory of the New Careers Development Center, New York University.

Duhl, Leonard J. "Manpower Strategies in Community Mental Health" in *New Careers: Ways Out of Poverty for Disadvantaged Youth*, a conference report. Fishman, Jacob, Pearl, Arthur, and MacLennan, Beryce, eds. Washington: Howard University, Center for Youth and Community Studies, 1965.

Elston, Patricia. "New Careers in Welfare for Professionals and Nonprofessionals." Proposal prepared for New Careers Development Center, New York University, December 1967.

"Employing Staff from the Client Group: New Developments," *National Social Welfare Assembly,* October 1966 issue.

Felton, Nadine. "Career Incentive Plan for Higher Education of Nonprofessionals." Paper prepared for New Careers Development Center, New York University, August 1967.

Fine, Sidney A. *Guidelines for the Design of New Careers.* Washington: W. E. Upjohn Institute for Employment Research, 1967.

Fishman, Jacob, Pearl, Arthur, and MacLennan, Beryce, eds. *New Careers: Ways Out of Poverty for Disadvantaged Youth,* a conference report. Howard University Center for Youth and Community Studies. Washington: The Center, 1965.

Gordon, Jesse E. "Project CAUSE, the Federal Government Anti-Poverty Program, and Some Implications of Subprofessional Training," *American Psychologist* XX (1965), 334-343.

Hallowitz, Emanuel and Riessman, Frank. "The Role of the Indigenous Nonprofessional in a Community Mental Health Neighborhood Service Center Program." Paper prepared for the 43rd American Orthopsychiatric Association Meeting, San Francisco, April 1966.

Henderson, George. *Training and Being Trained: Observations on Low-Income Leaders.* Detroit: Wayne State University Delinquency Control Training Center, 1965.

Jackson, Nelson C. "The Use of Indigenous Volunteers" in *Social Work Practice.* New York: Columbia University Press, 1964.

Klein, William L. and others. *Training Nonprofessional Workers for Human Services: A Manual of Organization and Process.* Washington: Howard University, Institute for Youth Studies, Center for Community Studies, 1966.

Lee, Ann N. "The Training of Nonprofessional Personnel," *Nursing Outlook,* VI (1958), 222-225.

Levinson, Perry and Schiller, Jeffry. "Role Analysis of the Indigenous Nonprofessional," *Social Work,* XI (1966), 95-101.

Liebert, Lisa. "New Careers and Model Cities: A Partnership for Human Renewal." Paper prepared for New Careers Development Center at New York University, August 1967.

National Association of Social Workers. Commission on Practice, Subcommittee on Utilization of Personnel. *Utilization of Personnel in Social Work: Those with Full Professional Education and Those Without: Final Report.* New York: The Association, 1962.

National Committee on Employment of Youth. *A Demonstration On-the-Job Training Program for Semi-Professional Personnel in Youth Employment Programs: Final Report.* New York: The Committee, 1966.

__________. *Annotated Bibliography on Subprofessionals.* New York: The Committee, 1967.

"The New Nonprofessional," *American Child,* XLIX, No. 1. (Articles by Frank Riessman, Mitchell Ginsberg, Sherman Barr, Mark Battle, and Edith F. Lynton.)

"The Nonprofessional in Experimental and Demonstration Projects." Paper prepared for U. S. Office of Economic Opportunity by Community Programs and Training Consultants, August 1966.

Otis, Jack. "Problems and Promise in the Use of Indigenous Personnel." Paper presented at the 13th annual meeting of the Council on Social Work Education, 1965.

Pearl, Arthur and Riessman, Frank. *New Careers for the Poor.* New York: Free Press, 1965.

Reiff, Robert. "The Indigenous Nonprofessional," *Community Mental Health Journal,* Monograph Series No. 1, 1965.

Richan, Willard C. "A Theoretical Scheme for Determining Roles of Professional and Nonprofessional Personnel," *Social Work,* VI (1961), 22-28.

Riessman, Frank. "The 'Helper' Therapy Principle," *Social Work* X (1965), 27-32.

__________. "Issues in Training the New Nonprofessional." Paper prepared for New Careers Development Center, New York University, March 1967.

__________. "Nonprofessionals and the Poor." Speech prepared for Joint Conference on Children and Youth, Washington, D. C., April 1964.

__________. "The Revolution in Social Work: The New Nonprofessional," *Trans-Action,* II (1964), 27-34.

__________. "Strategies and Suggestions for Training Nonprofessionals." Paper prepared for Lincoln Hospital Mental Health Services.

U. S. Department of Labor, Office of Manpower, Automation, and Training. *The Indigenous Worker in Manpower Projects.* Washington: The Office, 1964.

__________. *Volunteers and Subprofessionals in Manpower Development Training Act.* Washington: The Office, 1964.

U. S. Office of Economic Opportunity. Division of Community Action Programs. *Involvement of the Poor: Hiring Nonprofessionals.* Washington: The Office, 1965.

⁂

## III. Sources of Information and Technical Assistance

Information Clearinghouse
New Careers Development Program
University Research Corporation
1424 16th Street, N.W.
Washington, D. C. 20036

New Careers Development
Organization
1013 Harrison Street
Oakland, California 94607

Information Retrieval Center on
the Disadvantaged
Ferkauf Graduate School of
Education
Yeshiva University
55 Fifth Avenue
New York, New York 10003

New Careers Development Center
New York University
Washington Square
New York, New York 10003

Center for the Study of Crime,
Delinquency and Corrections
Southern Illinois University
Carbondale, Illinois 62901

National Committee on Employment
of Youth
145 E. 32nd Street
New York, New York 10016

Center for Youth and Community
Studies
Howard University
Washington, D. C. 20001

U. S. Department of Labor
Bureau of Work-Training Programs
1726 M Street, N.W.
Washington, D. C. 20210

U. S. Office of Economic
Opportunity
1200 19th Street, N.W.
Washington, D. C. 20506

Office of Juvenile Delinquency and
Youth Development
U. S. Department of Health,
Education, and Welfare
Washington, D. C. 20201

U. S. Department of Housing and
Urban Development
451 7th Street, S.W.
Washington, D. C. 20410

## THE COMMISSION

James V. Bennett, *President*

E. B. Whitten
*Vice-President*

E. Preston Sharp
*Secretary-Treasurer*

### Board of Directors

Milton G. Rector
*Chairman*
James V. Bennett
Daniel Blain
Charles B. Brink
Raymond Feldman
Dale B. Harris
Elmer H. Johnson
Richard A. McGee

Peter P. Lejins
*Vice-Chairman*
Russell G. Oswald
Arnulf M. Pins
Walter C. Reckless
Howard P. Rome
Mrs. Thomas Scales
Clyde E. Sullivan
Randolph E. Wise

Luther W. Youngdahl

### General Counsel

Warren E. Magee

### Officers of the Membership

Ellis C. MacDougall
*Chairman*

Earl H. Hanson
*Vice-Chairman*

## THE STAFF

Garrett Heyns
*Executive Director*
Edward T. Magoffin, Jr.
*Controller, Director of Legal Studies*

William T. Adams
*Associate Director*
Roma K. McNickle
*Editor*

### Task Force Directors

Benjamin Frank
John J. Galvin
Merritt Gilman

William F. Meredith
Rudy Sanfilippo
Keith A. Stubblefield

Jo Wallach

### Assistant Directors

Steve Bulfinch
Loren Karacki
Alice Maxwell
Richard M. Minkoff

Nick Pappas
Dale K. Sechrest
Adrianne W. Weir
Beverly F. Zlotshewer

### Research Assistants

Larry L. Dye
Martha L. Haller